

# PETERBOROUGH VICTORIA NORTHUMBERLAND AND CLARINGTON CATHOLIC DISTRICT SCHOOL BOARD

## TRUSTEE CODE OF CONDUCT (the “Code”)

The Trustee Code of Conduct will be signed by each trustee at the start of each four-year term to acknowledge they have received and read the code.

### THE BOARD OF TRUSTEES (the “Board”):

- ✓ commits itself to promoting gospel values and providing faith-based Catholic education for its students;
- ✓ commits itself to conducting Board business in a manner that is consistent with the mission, vision and values of the Peterborough Victoria Northumberland and Clarington Catholic District School Board and will not cause or allow any conditions, procedures, actions or decisions that are undignified, unprofessional, or contrary to the preservation of Catholic values and teachings;
- ✓ commits itself to recognizing and rigorously defending the constitutional right of Catholic education and the democratic and corporate authority of the Board;
- ✓ commits itself to improving student achievement, equity, well-being and public confidence;
- ✓ commits itself and individual trustees to ethical, professional, and lawful conduct;
- ✓ commits itself to the interests of the students, parents, staff, and ratepayers of the Peterborough Victoria Northumberland and Clarington Catholic District School Board, rather than personal loyalties or interests;
- ✓ commits itself to an open and transparent governance model, and to respect the distinctive role of the Board, its individual trustee members and staff of the Peterborough Victoria Northumberland and Clarington Catholic District School Board; and
- ✓ commits itself to make inquiries into alleged breaches by a trustee brought to its attention and, based on the results of the inquiries, determine whether the member has breached the Board’s Code and take appropriate measures.

### INDIVIDUAL TRUSTEES:

#### Laws and Regulations

- ✓ shall make the [declaration and oath of office](#) prior to commencing their role as trustee;
- ✓ shall familiarize themselves with and comply with their duties and any requirements of them as prescribed by the [Education Act](#) and its related regulations;
- ✓ shall familiarize themselves with and comply with their duties and any requirements of them as prescribed by the [Student Achievement and School Board Governance Act](#) and its related regulations;
- ✓ shall familiarize themselves with and comply with their duties and any requirements of them as prescribed by the [Freedom of Information and Protection of Privacy Act](#) and its related regulations;
- ✓ shall familiarize themselves with and comply with their duties and any requirements of them as

prescribed by the [Municipal Freedom of Information and Protection of Privacy Act](#) and its related regulations;

- ✓ shall familiarize themselves with and comply with their duties and any requirements of them as prescribed by the [Municipal Election Act](#) and its related regulations;
- ✓ shall familiarize themselves with and comply with their duties and any requirements of them as prescribed by the [Occupational Health and Safety Act](#) and its related regulations;
- ✓ shall familiarize themselves with and comply with their duties and any requirements of them as prescribed by the [Ontario Human Rights Code](#) and its related regulations;
- ✓ shall familiarize themselves with and comply with their duties and any requirements of them as prescribed by the [Municipal Conflict of Interest Act](#) and its related regulations, including but not limited to declaring any and all direct and indirect pecuniary interests in a matter before the Board;
- ✓ shall comply with the letter and spirit of any other laws of Canada and the Province of Ontario and any contractual obligations of the Board in conducting the business of the Board;
- ✓ shall conduct themselves in compliance with the Board's by-laws and with any standards of behaviour the Board adopts with respect to the conduct of its employees, together with any and all other procedures and policies that the Board may enact from time to time;

#### Conflict of Interest

- ✓ shall be responsible and accountable for exercising good judgement and avoiding situations that might present a conflict of interest or the appearance of conflict of interest;
- ✓ shall declare and disclose the general nature of the interest for all direct and indirect pecuniary conflicts of interest and abstain from participating in related decisions;
- ✓ shall not vote on, discuss, or attempt to influence voting on matters in which they have a direct or indirect pecuniary interest (the direct or indirect pecuniary interest of a trustee shall include, but is not limited to a parent, spouse or child);
- ✓ when the Board is to decide on an issue at a meeting that is open to the public, about which a trustee has an unavoidable conflict of interest, that trustee shall not comment or vote on any issue or influence the voting on any such issue either prior to, during or after the meeting;
- ✓ when the Board is to decide on an issue at a meeting that is not open to the public, about which a trustee has an unavoidable conflict of interest, that trustee shall not comment or vote on any issue or influence the voting on any such issue either prior to, during or after the meeting and must leave the Board room for that portion of the meeting during which such issue is discussed;
- ✓ are not to accept gifts from third parties related, directly or indirectly, to their role as trustee;
- ✓ shall not use the influence of his or her office for any purpose other than for the exercise of his or her official duties;
- ✓ shall not allow any current employment or the prospect of his or her future employment by a person or entity to improperly or for personal gain affect the performance of his or her duties to the Board;
- ✓ shall not use their position, authority or influence for personal, financial or material gain or personal business purposes or for the personal, financial or material gain or business purpose of a relative, friend and/or business associate;
- ✓ shall not use their position, authority or influence to give any person or organization special treatment that might, or might be perceived to, advance the interests of such trustee, or the interests of a relative, friend and/or business associate of such trustee;

- ✓ shall not borrow money from any person who regularly does business with the Board unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money, such as a credit union;
- ✓ shall not act as a paid agent before the Board or a committee of the Board or any agency, board or committee of the Board;
- ✓ shall not refer a third party to a person, partnership or corporation in exchange for payment or other personal benefit;
- ✓ shall not use Board resources for personal gain nor permit relatives, friends and/or business associates to use Board resources for personal gain;

### Confidentiality

- ✓ acknowledge that, as part of their duties to the Board they may be privy to private, confidential or legally privileged financial, business and/or commercial information belonging to the Board that may provide a financial, business, commercial or competitive advantage, and that they may be privy to private and confidential student and personnel information, and/or legal matters and opinions;
- ✓ agree that all information deemed private or confidential that is provided to the trustee is for Board business only, and will not be communicated beyond those to whom it has been provided;
- ✓ agree not to use, directly or indirectly, any such private or confidential information for the trustee's benefit or the benefit of any person, organization, firm, or other entity, or disclose to any third party the Board's proprietary or confidential information;
- ✓ shall keep all private and confidential information received, including but not limited to, in-camera discussions and actions in complete confidence;
- ✓ shall not discuss or review any private or confidential information in public or where another student, parent, employee or member of the school community or public could accidentally overhear or read such information;
- ✓ except as required by law, shall not use or disclose the personal or educational information of students and their families that may come to the attention of the trustee;
- ✓ except as required by law, shall not use or disclose the personal and/or employment information of employees of the Peterborough Victoria Northumberland And Clarington Catholic District School Board and their families that may come to the attention of the trustee;
- ✓ agree that all duties and obligations of confidentiality above shall be continuous and survive the trustee's term of office;

### Meetings and Decisions

- ✓ shall attend and participate in meetings of the Board, including meetings of Board committees of which the trustee is a member, and will commit to being fully prepared to participate and deliberate on all matters before the Board;
- ✓ shall ensure that all information they communicate in the course of their duties is accurate and complete;
- ✓ shall avoid disrupting the process of Board and committee meetings and refrain from engaging in conduct or contributing to a tone of sarcasm or denigration during such meetings and at all other times that would discredit or compromise the integrity of the Board;

- ✓ once the Board has reached a decision, shall uphold the implementation of all Board resolutions, regardless of their personal position on the issue, and shall not make disparaging remarks about another trustee or a group of trustees in expressing comments, or disagreement or speculate on the motives of a trustee, a group of trustees, or Board staff;
- ✓ will respect the procedural rulings of the Chairperson at Board and committee meetings;

### Communications

- ✓ shall bring information regarding any staff employment concerns to the attention of the Director of Education, if required, but shall offer no judgment on the specifics of any concern presented;
- ✓ shall bring information regarding any concerns raised by a student, parent, guardian, constituent, or supporter of Catholic education to the attention of the Director of Education, if required, but shall offer no judgment on the specifics of any concern presented;
- ✓ shall report any inquiries from lobbyists to the Director of Education forthwith and must not use their influence to gain or advance the interest of any particular party during a procurement process;
- ✓ shall act at all times, for all forms of communication including email, telephone and in-person meetings, with decorum, treat other fairly and with dignity, and shall be respectful and professional to other trustees and Board staff, as well as members of the public;
- ✓ Shall respond to requests and communications from the public or school board personnel in a timely and respectful manner;
- ✓ may comment to the media when asked about matters related to local issues in the area represented by the trustee or matters of personal opinion in accordance with the spirit of the Code;
- ✓ shall refer requests from the media for comments regarding Board policy and business decisions to the Director of Education as appropriate;
- ✓ will follow the staff/trustee communication protocol as defined by the Chairperson of the Board and the Director of Education;

### General Conduct

- ✓ shall not attempt to exercise individual authority in Board matters, shall recognize that they hold no individual authority, and that the authority rests with the overall Board;
- ✓ shall entrust the day to day management of the Board to its staff through the Director of Education;
- ✓ are responsible for their use of Board resources for Board business purposes only, and will comply with all Board policies pertaining to acceptable expenses;
- ✓ shall observe a dress code of appropriate business attire when representing the Board at meetings and at personal appearances;
- ✓ shall not threaten or undertake any active reprisal against a person initiating an inquiry or complaint under the Code, or against a person who provides information related to an inquiry or complaint;
- ✓ shall not destroy documents or erase electronic communications or refuse to respond where a formal complaint has been lodged under the Code;
- ✓ a trustee who has reasonable grounds to believe that a member of the Board has breached

the Code must bring the alleged breach to the attention of the Board as soon as reasonably possible; and the Board must review any alleged breach to the Code and determine if the allegation is valid;

- ✓ Shall not use the facilities, equipment, supplies, services, staff or other resources of the Board for any election campaign or campaign-related activities;

#### **Chairperson of the Board:**

- ✓ ensures that the Board behaves consistently within its rules and those legally imposed by the provincial government;
- ✓ along with and in cooperation with, the Director of Education, acts as spokesperson to the public on behalf of the Board;
- ✓ is the primary link between the Board and the Director of Education; the Chairperson does not have authority to supervise or direct the Director of Education;
- ✓ chairs Board meetings with the commonly accepted responsibility of that position, while working constructively with the trustees to achieve consensus when arriving at decisions;
- ✓ may delegate his/her authority to another trustee, but remains accountable for the use of this authority.

#### **Enforcement:**

- ✓ Any trustee who fails or refuses to comply with the rules of the Board, uses offensive language, disobeys the decisions of the Chairperson or the Board on points of order, or makes any disorderly noise or disturbance may be ordered by the Chairperson to leave for the remainder of the meeting and, in the case of a refusal to do so, may, on the order of the Chairperson, be removed from the room where such meeting is taking place or the Board office. Such removal will be recorded in the minutes of the meeting.
- ✓ Without limiting the foregoing, should a trustee be in breach of the Code, the Board may, by special motion passed in accordance with Board policy:
  - Censure the trustee;
  - Restrict or bar the trustee from attending all or part of a meeting of the Board or a meeting of the committee of the Board; and
  - Restrict or bar the trustee from sitting on one or more committees of the Board, for the period of time specified by the Board;
- ✓ The motion may be presented either in an open session of the Board or an in-camera session, if the alleged breach involves matters normally presented in-camera. Any resolution determining and imposing a sanction must be made in public;
- ✓ If an alleged breach is brought to the attention of the Board, the document setting out the breach together with any other materials will be provide to the Director of Education in the Director's role as Secretary to the Board;
- ✓ The Director of Education shall be present as Secretary to the Board to take minutes at all meetings involving any disciplinary action of a trustee;
- ✓ A trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting that are not available to the members of the public;

- ✓ If the Board determines that a trustee has breached the Code, the Board shall give the trustee written notice of the determination and of any sanction imposed by the Board in accordance with this Code and such notice shall inform the trustee that they may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice, which date will be at least 14 days after the notice is received by the trustee;
- ✓ The Board shall consider any written submissions made by the trustee and shall confirm or revoke the determination within 14 days after the trustee's submissions are received;
- ✓ If the Board revokes a determination that a trustee has breached this Code, any sanctions imposed by the Board are also revoked;
- ✓ If the Board confirms a determination that a trustee has breached this Code, the Board shall, within 14 days after the trustee's submissions were received, confirm, vary or revoke the sanction(s) imposed by the Board;
- ✓ If a sanction is varied or revoked, the variation or revocation shall be deemed to be effective as of the date the original determination of the alleged breach was made by the Board, or as otherwise agreed by the Board;
- ✓ Nothing in this Code prevents a trustee's breach of the *Municipal Conflict of Interest Act* from being dealt with in accordance with that act;
- ✓ The Board may censure a trustee for breach of Board policy, procedure, relevant legislation, or conduct unbecoming a trustee;
- ✓ A trustee alleged to have breached the Code may not vote on a motion regarding the alleged breach.

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Trustee Signature

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Date

Approved by Board Motion, September 27, 2022.