

TRUSTEES' CODE OF CONDUCT

POLICY

CODE: A 5.0

"Act justly, love tenderly and walk humbly with your God".

Micah: 8

The mission of the London District Catholic School Board (the "Board") is to serve the Catholic student in a community that nurtures a living faith and provides a quality Catholic education that enables the individual to become a contributing member of the Church and Society. By providing strategic vision and stewardship of resources in a manner that reflects Gospel values in all aspects of the system, the London District Catholic School Board promotes the achievement and well being of all students through the creation of a learning environment in which student can achieve the Ontario Catholic School Graduate Expectations.

1. Catholic Faith, Community and Culture

Each London District Catholic School Board Trustee ("Trustee") shall, within the duties prescribed in the *Education Act*, its Regulations and other applicable legislation and reflecting a ministry within the Church:

- (a) acknowledge that Catholic schools are an expression of the teaching mission of the Church;
- (b) provide an example to the Catholic Community that reflects the teaching of the Church;
- (c) provide the best possible Catholic education according to the programs approved by the Canadian Conference of Catholic Bishops and the provincial Minister of Education;
- (d) recognize and rigorously defend the Constitutional right of Catholic education and the democratic and corporate authority of the Board;
- (e) respect the confidentiality of the Board;
- (f) ensure the affairs of the Board are conducted with openness, justice and compassion;
- (g) work to improve personal knowledge of current Catholic educational research and practices;
- (h) affirm a strong sense of Christian Catholic Community; and
- (i) provide support, encouragement and prayer for the efforts of all persons engaged in the ministry of Catholic Education in Canada.

2. Integrity and Dignity of Office

Trustees occupy positions of public trust and confidence. They are expected to discharge their duties and responsibilities in a professional and ethical manner, consistent with Gospel Values, the teachings of the Catholic church, the *Education Act* and Regulations, the *Municipal Freedom of Information and Protection of Privacy Act* and Regulations, the

TRUSTEES' CODE OF CONDUCT

POLICY (continued)

CODE: A 5.0

Municipal Conflict of Interest Act, the Board's By-Laws and Policies and any other Act or Regulation that may be applicable to the Trustee's duties.

It is imperative that the Trustees act, and be seen to act, in the best interests of the public they serve. Trustees are elected to represent all stakeholders in the London District Catholic School Board by articulating and supporting a shared commitment to excellence in Catholic education that promotes student achievement and well-being through the delivery of effective and appropriate education programs and effective stewardship of the Board's resources.

Trustees are governors, advocates and community leaders. As governors, trustees provide strategic direction, oversight and evaluation to ensure the development and delivery of quality education programs in order to maximize the achievement and well-being of all students. As advocates, they inform and influence public perceptions and provincial education law and policy. As community leaders, Trustees engage with the public to build understanding, guidance and active support for publicly funded Catholic education.

3. Civil Behaviour

Trustees share in the responsibility for creating a positive environment that is safe, harmonious, comfortable, inclusive and respectful. Trustees shall at all times act with decorum and shall be respectful of other trustees, the Director of Education, staff, all members of the LDCSB community, as well as the public. As stewards of the system, Trustees are held to a high standard of conduct and should serve as role models of exemplary behaviour reflective of the values articulated in the Ontario Catholic School Graduate Expectations.

Among other things, Trustees must:

- respect and comply with all applicable federal, provincial and municipal laws;
- demonstrate honesty and integrity;
- respect differences in people, their ideas, and their opinions;
- treat one another with dignity and respect at all times, and especially when there is disagreement
- respect and treat others fairly, regardless of, for example, race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, gender, sexual orientation, age, or disability; and
- respect the rights of others.

TRUSTEES' CODE OF CONDUCT

POLICY (continued)

CODE: A 5.0

Trustees shall be prepared for meetings, avoid disrupting the process and refrain from engaging in conduct or contributing to a tone of sarcasm or denigration during meetings of the Board and at all other times that would discredit or compromise the integrity of the Board.

In performing their duties as trustees, and in all matters of communication including electronic media, telephone and face-to-face meetings with staff, parents and other stakeholders, appropriate language and professionalism are expected. Trustees must adhere to the *Acceptable Use Policy* regarding on-line communications, and to the policy required under Bill 168 on *Workplace Violence and Harassment*. Trustees are bound to uphold and abide by all pertinent Board policies.

Subject to the duty of a Trustee under section 218.1(e) of the *Education Act* to uphold the implementation of any Board resolution after it is passed by the Board, a Trustee may comment on, or disagree with, a decision taken by the Board. A Trustee may not make disparaging remarks about another Trustee or a group of Trustees in expressing such comment or disagreement or speculate on the motives of a Trustee or a group of Trustees, or staff.

Any Trustee who fails or refuses to comply with the rules of the Board, uses offensive language, disobeys the decisions of the Chair or the Board on points of order, or makes any disorderly noise or disturbance may be ordered by the Chair to leave for the remainder of the meeting, and in the case of a refusal to do so, may, on the order of the Chair, be removed from the room where such meeting is taking place and/or the Board Office. Such a removal will be recorded in the Minutes of the meeting.

Section 207(3) of the *Education Act* addresses the exclusion of persons from board meetings. It provides: "The presiding officer may expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting."

4. Respect for Confidentiality

All Trustees acknowledge that, as part of their duties to the Board they may be privy to private, confidential and/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. Such information may include, but is not limited to, information relating to the Board's organizational structure, operations, business plans, technical projects, business costs, research data results, inventions, trade secrets or other work produced, developed by or for the Board.

Except as required by law, all Trustees and former Trustees agree not to use, directly or indirectly, for the Trustee's benefit or the benefit of any person, organization, firm, or other entity, the Board's proprietary or confidential information disclosed or entrusted to that

TRUSTEES' CODE OF CONDUCT

POLICY (continued)

CODE: A 5.0

Trustee, and Trustees recognize that such inappropriate use of confidential information for their benefit may constitute a breach of trust contrary to section 122 of the *Criminal Code* (Canada).

The confidentiality of personal/educational student and family information received in the course of duties must be respected, protected and kept confidential. Information received should not be discussed or reviewed 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, and in accordance with the *Education Act* and *Municipal Freedom of Information and Protection of Privacy Act*, all Trustees agree not to use or disclose the personal and/or educational information of students and their families that may come to the attention of a Trustee.

Except as required by law, and in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, all Trustees agree not to use or disclose the personal and/or employment information of Board employees and their families that may come to the attention of a Trustee.

A Trustee's duty of confidentiality with respect to private and confidential financial, business and/or commercial information, personnel information, student information, and legal matters and opinions survives his or her term as Trustee.

5. Enforcement of Code of Conduct and the *Municipal Conflict of Interest Act*

In accordance with the provisions of section 218.3 of the *Education Act*, a breach of this Code of Conduct by a Trustee may be dealt with according to the following procedures: A Trustee who has reasonable grounds to believe that another Trustee has breached this Code of Conduct may bring the alleged breach to the attention of the Board.

If an alleged breach is brought to the attention of the Board, the Board shall make inquiries into the matter and shall, based on the results of the inquiries, determine whether there has been a breach.

If the Board determines that a Trustee has breached this Code of Conduct, the Board 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 Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board.

TRUSTEES' CODE OF CONDUCT

POLICY (continued)

CODE: A 5.0

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.

In appropriate circumstances, the Board may also resolve to disassociate the Board from any action or statement of a Trustee.

If a Board determines that a Trustee has breached this Code of Conduct, the Board shall give the Trustee written notice of the determination and of any sanction imposed by the Board.

The notice shall inform the Trustee that he or she may make written submissions to the Board in respect of the determination or sanction by the date specified in the notice that is at least 14 days after the notice is received by the Trustee.

The Board shall consider any 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 of Conduct, any sanction imposed by the Board is also revoked.

If the Board confirms a determination that a Trustee has breached this Code of Conduct, 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 about the alleged breach was made by the Board. Despite subsection 207(1) of the *Education Act* which requires meetings of the Board to be open to the public, but subject to the requirements below for specific resolutions of the Board to be made in public, the Board may close to the public the part of the meeting during which a breach or alleged breach of this Code of Conduct is considered when the breach or alleged breach involves any of the following matters:

- (a) the security of the property of the Board;
- (b) the disclosure of intimate, personal or financial information in respect of a Trustee or committee, an employee or prospective employee of the Board or a student or his or her parent or guardian;
- (c) the acquisition or disposal of a school site;
- (d) decisions in respect of negotiations with employees of the Board; or
- (e) litigation affecting the Board.

TRUSTEES' CODE OF CONDUCT

POLICY (continued)

CODE: A 5.0

The Board shall do the following things by resolution at a meeting of the Board, and the vote on the resolution shall be open to the public:

- (f) Make a determination that a Trustee has breached this Code of Conduct.
- (g) Impose a sanction on a Trustee for a breach of this Code of Conduct.
- (h) Confirm or revoke a determination regarding a Trustee's breach of this Code of Conduct.
- (i) Confirm, vary or revoke a sanction after confirming or revoking a determination regarding a Trustee's breach of this Code of Conduct.

A Trustee who is alleged to have breached this Code of Conduct shall not vote on any of the resolutions listed above.

When a resolution listed above is passed, the resolution shall be recorded in the Minutes of the meeting.

The *Statutory Powers Procedure Act* does not apply to any of the enforcement provisions under section 218.3 of the *Education Act*.

Nothing in this Code of Conduct prevents a Trustee's breach of the *Municipal Conflict of Interest Act* from being dealt with in accordance with that *Act*.

A trustee who is subject to a Board inquiry to determine whether the trustee has breached the Code of Conduct has a right to retain and be represented by legal counsel throughout the process. Legal expenses will not be paid unless extraordinary circumstances are determined by Board motion.

Adopted: May 9, 2011