BD-2045 Trustee Code of Conduct Policy

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Lead department: CEO's Office

1. Policy

Trillium Lakelands District School Board Trustees occupy positions of public trust and confidence. They are expected to discharge their duties and responsibilities in a professional and impartial manner.

It is essential that Trustees be, and be seen to be, acting in the best interests of the public they serve within the entire jurisdiction of the Board.

Without limiting the generality of the foregoing, a Trustee would compromise themselves in the discharge of their duties by failing to declare a conflict of interest as required pursuant to the *Municipal Conflict of Interest Act*, by contravening any other law, by disclosing confidential business, personnel, or student information, and by misappropriating Board resources.

2. Scope

This Code of Conduct is applicable to all Trustees and student trustees of Trillium Lakelands District School Board, and will be updated every four years.

3. Terms and definitions

Board: Trillium Lakelands District School Board (TLDSB)

Business Day: Means a day from Monday to Friday, excluding Holidays

Censure: An expression of strong disapproval or harsh criticism

CEO: Chief Executive Officer (the *Education Act* also uses the term Secretary of the Board or Director of Education)

Trustee: A duly elected or appointed member of a district school board

4. Administrative procedure

Every Trustee of the Board shall comply with this Code of Conduct and uphold the spirit of the Code.

4.1 Integrity and Dignity of the Office of the Trustee

A school board receives its legislative authority as a corporate entity under the *Education Act* and is responsible for operating a publicly funded school system on behalf of the community it serves.

Trustees shall discharge their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the Board. In upholding the integrity and dignity of the office of Trustee, there are a number of requirements. When sworn into the Board as a Trustee the following responsibilities of office ensue:

a) Integrity and Dignity of Office
- When acting or holding themself out as Trustees of the Board, a Trustee shall conduct themselves in a manner that would not discredit or compromise the integrity of the Board.
- When acting or holding themself out as a Trustee, the Trustee shall treat persons equally without discrimination based on a person's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

b) Public Use of Funds
- A Trustee shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interests of students.

c) Civil Conduct
- A Trustee must conduct themselves in a professional manner, especially when attending Board events, or while on Board property.
- A Trustee will ensure that their comments are issue-based and not personal, demeaning, or disparaging with regard to Board staff or fellow Board Members.
- A Trustee will voice no judgments of staff or staff performance except as that performance is assessed against explicit board policies by the official process, or during "in-camera" sessions of the Board.

d) Avoidance of personal advantage and conflict of interest
- A Trustee shall not accept a gift from any person or entity that has dealings with the Board where it is reasonable that a person might conclude that the gift could influence the Trustee when performing his or her duties to the Board unless
    - the gift is of nominal value;
    - the gift is given as an expression of courtesy or hospitality;
    - accepting the gift is reasonable in the circumstances.
- A Trustee shall not use his or her office to advance the Trustee's interests or the interests of any family member or person or organization with whom or with which the Trustee is related or associated.
- A Trustee shall not use his or her office to obtain employment with the Board for the Trustee or Family Member.
- No Trustee shall use or permit the use of board resources for any purposes other than the business of the Board.

e) Confidentiality
   - No Trustee shall disclose confidential information obtained or made available to them in their role as Trustee except as authorized by law or by the Board. Confidential information includes personal information about an identifiable individual or information subject to solicitor-client privilege.
   - A Trustee shall keep confidential any information disclosed or discussed at a meeting of the Board or Committee of the Board that was closed to the public, unless required to divulge such information by law or authorized by the Board to do so.
   - No Trustee shall use confidential information, including confidential information obtained by them or made available to them in their role as Trustee for the purpose of personal gain or for the gain of the Trustee's parent, spouse or child and shall not use such confidential information in a manner that would be detrimental to the interests of the Board. (Parent, source and child have the same meaning as in Section 1 of the *Municipal Conflict of Interest Act*)

f) Upholding Decisions
   - All Trustees shall accept that authority rests with the Board, and that a Trustee has no individual authority other than that delegated by the Board.
   - Each Trustee shall uphold the implementation of any Board resolution after it is passed by the Board. A proposed motion for reconsideration or rescission, if permitted by the Board's By-laws and Rules of Order, can be brought by a Trustee.
   - When individual Trustee express their opinions in public, they must make it clear that they are not speaking on behalf of the Board.

4.2 Trustee Code of Ethics

The commitment of each Trillium Lakelands District School Board Trustee to high ethical standards is required to ensure that the school board can responsibly fulfill its obligations and discharge its duties. As Trustees of Trillium Lakelands District School Board, representing all citizens of the community and responsible to the electorate through the democratic process, each Trustee recognizes that they:

a) should promote student achievement and well-being;
b) should act in the interest of all students in Trillium Lakelands District School Board regardless of the geographic area/ constituency that the Trustee represents;
c) are the students' advocate, and that the first and greatest concern is the best interest of each and every one of these students, without distinction as to who they are or what their background might be;
d) are community leaders who realize that the future welfare of the community, of the province, and of Canada is dependent in the largest measure upon the quality of education that is provided in our public schools to fit the needs of learners;
e) must understand that a strong and effective public education system, responsive to the needs of our students, is the cornerstone of a democratic society;
f) should be motivated by an earnest desire to serve Trillium Lakelands District School Board to the best of their ability to meet the educational needs of all students;
g) must act with integrity and do everything possible to maintain the dignity of the office of a school board member.

4.3 Trustee Conflict of Interest related to Board business

Trustees are subject to compliance with the Municipal Conflict of Interest Act (MCIA) to protect the public interest by ensuring that public officials do not improperly take advantage of their positions of trust to seek personal gain.

Conflict of Interest legislation is concerned only with pecuniary, or financial, interest. Pecuniary interest can by direct, indirect, or deemed.

A member who identifies a direct, indirect, or deemed conflict of interest in a matter and is present at a meeting of the Board or committee of the Board at which the matter is the subject of consideration, must declare the conflict before any discussion on the matter begins.

Steps for declaring a conflict of interest:

a) Publicly declare the conflict of interest, state the general nature of the interest, and have the declaration recorded in the minutes. There is a section on all Board agendas that provide the opportunity to declare a conflict of interest;
b) Do not vote on any question in respect to the matter;
c) Do not take part in the discussion on the matter;
d) Do not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.

4.4 Expectations of Trustees as part of a Board

Specific roles and responsibilities, along with reference to the related legislative authority can be found in *BD-2051 Roles and Responsibilities of the Board of Trustees Policy*.

In addition to the legislated roles and responsibilities as outlined in BD-2051, as a school board member, each Trustee - in their behaviour and their professional conduct- is expected to:

a) Understand governing legislation
   - Abide by legislation, board policy, and procedural direction, the Oath of Office, the Trustee Code of Conduct, the TLDSB Code of Conduct and all Board by-laws;
   - Recognize the duty to comply with the Municipal Conflict of Interest Act and all privacy legislation;
   - Be familiar with Board By-laws;
   - Understand the rules of order/ parliamentary authority as they pertain to TLDSB Committee and Board Meetings.

b) Understand the role of the Board as an entity
   - Accept that authority rests with the Board and that individuals have no authority outside the Board and abide by the majority decisions of the Board once they are made;
   - Uphold the implementation of any Board resolution after it is passed by the Board;
   - Not use his/her position for personal advantage or to the advantage of any other individual apart from the total interest of Trillium Lakelands District School Board, and resist outside pressure to so use the position;
   - Communicate and conduct relationships with staff, the community, other school boards, and the media in a manner that focuses on all of the facts and that also reflects the Board's position and direction.

Lead Board Governance

- Ensure the effective stewardship of the Board's resources;
- Participate in the development of board policy;
- Recognize that Trustees should not attempt to become involved in the day-to-day administration or operational aspects of the system, knowing that Trustees shall be provided with full access to all information required for their decision making;
- Entrust the day-to-day management of the Board to its staff through the Chief Executive Officer (CEO);
- Follow the Trustee/Staff Protocol (see appendix 5.1).

c) Work as part of a team
   - Carry out duties objectively, and consider all information and opinions presented to the Board in making decisions, without bias;
   - Work with other Board members in a spirit of respect, openness, courtesy, cooperation and proper decorum, in spite of differences of opinion that arise during debate;
   - Express any contrary opinion respectfully and honestly, and without making disparaging remarks, in or outside of a board meeting, about other board members or their opinions;
   - Recognize that the Chairperson is the official spokesperson for the Board and that no other Trustee may act as spokesperson to the public on behalf of the Board unless authorized by the Board.

d) Participate in Meetings and other opportunities
   - Not divulge confidential information which is obtained in the capacity as a Board member, and not discuss those matters outside the meetings of the Board or the Board's committees;
   - Endeavour to participate in Trustee development opportunities to enhance the ability to fulfill school board member obligations.

4.5 Specific expectations of the Board Chair

In addition to duties of Trustees set out in S. 218.1 of the Education Act, the Chair of the Board is expected to comply with the additional duties set out in S. 218.4 of the Act. "In addition to any other duties under the Act", the Chair of the Board shall:

a) preside over meetings of the Board;
b) conduct the meetings in accordance with the Board's procedures and practices for the conduct of board meetings;
c) establish agendas for board meetings, in consultation with Chair's Council and the CEO;
d) ensure that members of the Board have the information needed for informed discussion of the agenda items;
e) act as spokesperson to the public on behalf of the Board, unless otherwise determined by the Board;
f) provide leadership to the Board in maintaining the Board's focus on the multi-year plan established under section 169.1;
g) provide leadership to the Board in maintaining the Board's focus on the Board's mission and vision; and,
h) assume such other responsibilities as may be specified by the Board in the Board By-laws.

4.6 Enforcement of the Trustee Code of Conduct

a) 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.
b) The alleged breach must be brought to the attention of the Chair no later than six (6) weeks after the breach comes to the knowledge of the Trustee who is reporting. In the event that the complaint is against the Chair, the Vice Chair and Past Chair/ Chair's Council Alternate will take the lead. The Vice Chair and Past Chair/ Chair's Council Alternate shall follow the same processes as the Chair would and as outlined below.
c) 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.

4.7 Response to an alleged breach of the Trustee Code of Conduct

a) Any allegation of a breach of the Code of Conduct shall be investigated either as a formal or informal complaint and follow the appropriate investigation procedure. Only a member of the Board may bring a complaint of a breach of the code to the attention of the Board.
b) 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 contravention of the Code may occur that is trivial or through inadvertence, or an error of judgement made in good faith. In the spirit of congeniality and the best interests of the Board, the first purpose of alerting a Trustees to a breach of the Code is to assist the Trustee in understanding his/her obligations under the Code. Only serious and/or reoccurring breaches of the Code by a Trustee should be investigated following a formal complaint procedure.
c) If the Chair is of the opinion that a formal complaint is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry, a confidential report shall be prepared for all Trustees of the Board stating their option and the rationale for it. A vote shall be made in relation to whether a formal inquiry will proceed or whether the Chair's resolution shall be upheld. The Trustee who is alleged to have breach the Code of Conduct shall not vote on the resolution.
d) If the allegation of a breach of the Code of Conduct on its face is with respect to the non-compliance of a more specific Board Policy with a separate complaint procedure, the allegation shall be processed under that procedure.

4.8 Addressing informal complaints related to the Trustee Code of Conduct

Informal Complaint Procedure

a) The Chair of the Board, on their own initiatives, or at the request of a Trustee of the Board (without the necessity of providing a formal written complaint) who alleges a breach of the Code has occurred, may meet informally with a Trustee of the Board who is alleged to have breached the Code, to discuss the alleged breach. The purpose of the meeting is to bring the allegation of the 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.
b) At the discretion of the Chair, they may include the Vice Chair of the Board, or another Trustee of the Board in the informal meeting
c) If the allegation of a breach of the Code involves the Chair of the Board, the Vice Chair of the Board will lead the informal complaint procedure

d) At the Vice Chair's discretion, they may include another Trustee of the Board to attend the meeting
e) The remedial measures may include, for example, a warning, an apology, and/or the requirement of the Trustee to engage in the successful completion of professional development training such as that offered by the Ontario Educational Services Corporation *Professional Development Program for School Board Trustees*
f) If a resolution of the informal complaint cannot be achieved, a formal complaint procedure may be commenced.

4.9 Addressing formal complaints related to the Trustee Code of Conduct

a) Formal Complaint Procedure
- A Trustee who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct may notify the following persons in writing of the alleged breach:
    - The Chair of the Board
    - The Vice Chair of the Board, if the notice is related to the conduct of the Chair; or,
    - Another Trustee of the Board who is neither the complainants nor the subject of the complaint, if the notice relates to both the conduct of the Chair and Vice Chair.
- The Trustee who gives notice of an alleged breach of the Board's Code of Conduct shall provide a copy of the notification to the CEO of the Board.
- The person to whom the notification was made (Chair, Vice Chair, or other Trustee) shall immediately provide a copy of the written notice to the Trustee whose conduct is the subject of the alleged breach and the entire Board of Trustees. This notice shall not be public or published until published by the Board in accordance with the Records and Information section below.
- No Trustee shall give notice of an alleged breach of the Code if the allegation is frivolous or vexatious or the notice is given in bad faith.
- No Trustee shall engage in reprisal or the threat of reprisal against:
    - A Trustee who gave notice of an alleged breach of the code; or,
    - Any person who provides information about the alleged breach to the person appointed by the Board to investigate the breach.

b) Notice of Breach

The written notice of the breach shall include:
- the name of the Trustee alleging the breach and their contact information;
- the name and contact information of the Trustee whose conduct is the subject of the notification;
- the date of the alleged breach;
- a description of the alleged breach;
- The provision of the Code that was allegedly breached;
- The date on which the Trustee alleging the breach first knew that the alleged breach occurred;
- The names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

A complaint of an allegation of a breach of the Code should generally be made within 60 days after the alleged breach occurred or was discovered, whichever is later.

c) Resolution of Notice of Breach

When a formal complaint is brought against a Trustee of the Board, during the 20-Business Day period prior to an Integrity Commissioner being appointed, the Board may attempt to resolve the matter as follows:

- The Chair of the Board, or in the absence of the Chair or if the notice of the breach related to the conduct of the Chair, the Vice Chair of the Board or if the notice related to the contact of the Chair and the Vice-Chair, then another Trustee appointed by the Board
- who is neither the complainant nor the subject of the complaint may attempt to resolve the matter in private as between the parties.
- This process may include the Chair/ Vice Chair/ Trustee, through the CEO or their designate, retaining legal counsel and/or a mediator to assist in resolving the matter.
- The process may also include a discussion and the use of remedial measures including, a warning, an apology, 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 *Professional Development Program for School Board Trustees*.
- If the matter is resolved to the satisfaction of the Trustee alleging the breach, the Trustee shall withdraw their notice of the breach.
- The Board of Trustees will be advised whether the matter has been resolved and any agreed upon remedial measures or other basis for the resolving of matters.

If the complaint described in the notice of breach is not resolved within 20 Business Days after the Trustee alleged to have breached the Code has received the notice, the matter shall be referred to an Integrity Commissioner appointed by the Board per below. This should be done as soon as reasonably possible.

d) Appointment of Integrity Commissioner

- If the complaint is not resolved as described under the *Resolution of Notice of Breach* section, above, the Trustee (Chair, Vice-Chair, or other Trustee) to whom the notification of the breach was given shall refer the complaint to the Integrity Commissioner appointed and paid for by the Board.
- If a roster of Integrity Commissioners has been created by the Minister of Education, an appointment of an Integrity Commissioner shall be from the roster of Integrity Commissioners.
- If a roster of Integrity Commissioners has not been created by the Minister of Education, then the Board shall appoint an external independent person who has the qualifications
- set out in Regulation 306/24: *Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct* and in consultation with the CEO.
- The appointment of an Integrity Commissioner by the Board is hereby delegated to the Trustee (Chair, Vice-Chair or other Trustee, as the case may be) in consultation with the CEO.

e) Investigation

- Subject to *Refusal to Commence an Investigation* described below, the Integrity Commissioner appointed by the Board to investigate, shall commence an investigation
- int the alleged breach of the Code of Conduct no later than 14 days after being appointed by the Board.
- The Integrity Commissioner to whom the alleged breach is referred to by the Board to investigate may define the scope of the investigation.

- The Trustee alleged to have breached the Code shall be provided with the opportunity to response to the allegations, as well as a right of reply, where appropriate. The Integrity Commissioner shall determine this, the timelines and form of such as response.

f) Refusal to Commence Investigation

- The integrity Commissioner may refuse to commence an investigation into the alleged breach of the Code, if,
    - The complaint was made more than 60 days after the day the alleged breach occurred or was discovered, whichever is later, unless the Integrity Commissioner is satisfied the delay was incurred in good faith and no substantial prejudice will result to any person affected by the delay; or
    - In the opinion of the Integrity Commissioner, the complaint is made in bad faith or is frivolous or vexatious.
- If a breach relates to a series of incidents, the 60-day period above runs from the day the last incident in the series occurred or was discovered.
- The Integrity Commissioner shall provide written notice of a refusal to commence an investigation to the Trustee who is the subject of the complaint and the Board, and the decision of the Integrity Commissioner is final.

g) Discovery of Breach

A breach is discovered on the earlier of:

- The day on which the Trustee notifying the Board of the alleged breach first knew that the breach has occurred; and
- The day on which a reasonable person with the abilities and in the circumstances of the Trustee notifying the Board first ought to have known of the matters referred to in the paragraph (a) above.

h) Powers of the Integrity Commissioner

In the course of conducting the investigation, the Integrity Commissioner may:

- Require the production of any records that may in any way relate to the investigation;
- Examine and copy any records required as they relate to the investigation;
- Require any officer of the Board or any other person to appear before them and give evidence, on oath or affirmation, relating to the investigation.

Section 33 of the *Public Inquiries Act, 2009* applies to an investigation.

i) Decision Process

- The Integrity Commissioner shall make any determination with respect to a complaint or alleged breach of the Code no later than 90 days after commencing the investigation, or within such other time period as may be prescribed by regulation, unless the Integrity
- Commissioner notifies the Board and the Trustee who is the subject of the complain that an extension is necessary and of the reasons for the extension.
- The Integrity Commissioner shall provide the Trustee whose conduct was the subject of the complaint that an extension is necessary and of the reasons for the extension.
- The written notice must include
    - The reasons for the determination;
    - The reasons for any sanctions; and
    - Information about the right to appeal.

j) Potential sanctions

If the Integrity Commissioner determines, following an investigation, that the Trustee has breached the Code, the Integrity Commissioner may impose one or more of the following sanctions:

- Censure the Trustee;
- Requiring the Board to reduce the Trustee honorarium by an amount not exceeding the amount prescribed in Regulation *357/06 Honoraria for Board Members*
- Barring the Trustee from attending all or part of one of more meetings of the Board or one of more meetings of a committee of the Board for the period of time specified by the Integrity Commissioner up to a maximum of 90 days or the balance of the Trustee's term of office, whichever is less;
- Barring the Trustee from sitting on one of more committee of the Board, for the period of time specified by the Integrity Commissioner, up to a maximum of 90 days or the balance of the Trustee's term of office, whichever is less;
- Barring the Trustee from becoming the chair of vice-chair of the Board or of any committee of the Board, or removing the Trustee from a position the Trustee holds as a Board representative;
- Subject to any other limits set out above any other sanction that, in the opinion of the Integrity Commissioner, is reasonable and appropriate in the circumstances;
- Subject to any of limits set out above any other sanction that, in the opinion of the Integrity Commissioner, would promote compliance with the Board's Code.

For greater certainty, the imposition of a sanction barring a Trustee from attending all or part of one meeting of the Board shall be deemed for the purpose of clause 228(1)(b) of the Education Act to be authorization for the Trustee to be absent from the meeting.

Any Trustee who is barred from attending all or part of the 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 are part of the meeting and that are not available to members of the public.

k) Appeal

- Either the Board or the Trustee whose conduct was the subject of an investigation may appeal the Integrity Commissioner's decision, the sanctions imposed, or both, and the Board and the Trustee are the parties to an appeal.
- The Trustee whose conduct was the subject of the investigation shall not vote on the Board resolution to determine whether the Board will appeal the Integrity Commissioner's determination.
- The Board or the Trustee who appeals the Integrity Commissioner's determinations shall give written notice of the appeal to the other part and the Deputy Ministry of Education
- no later than 15 Business Days after receiving written notice of the Integrity Commissioner's determination.

l) Hearing of the Appeal

The appeal shall be heard by a panel of three Integrity Commissioners appointed by the Deputy Ministry of Education or their delegate (no later than 15 Business Days after the Deputy Ministry or delegate receives the notice of appeal), but the panel should not include the Integrity Commissioner whose determination is the subject of the appeal.

- One of the appointed Integrity Commissioners shall be named by the panel to act as chair and co-ordinate the hearing of the appeal.
- The chair of the panel shall notify the parties to the appeal of:
  - The appointment of the panel; and

    - The requirements regarding the written submissions of the parties and the requirements of the panel's written decision.
- The panel shall hear the appeal in writing.

m) Parties written submission
- The Appellant shall provide written submissions to the panel and the Respondent no later than 20 Business Days after receiving notice that the panel has been appointed.
- The Respondent shall provide written submissions to the panel and the Appellant no later than 20 Business Days after receiving the Appellant's submissions.
- The Appellant shall provide their written reply to the Respondent's submissions no later than 10 Business Days after receiving the Respondent's submissions.
- The chair of the panel may extend any timeline regarding the above written submissions at the written request of a party in order to provide for the fair, just and expeditious resolution of the appeal.
- A decision to extend a timeline shall be provided to the parties in writing and a copy of the decision shall be provided to the Deputy Minister of Education.

n) Consideration by the Panel
The panel shall convene to consider the appeal at such times and in such places as they may determine. The panel may be convened by electronic means.

o) Panel Decisions on processes during the appeal
- The panel may:
    - Define or narrow the scope of the appeal;
    - Limit the length of submissions from the parties;
    - Make interim decisions and orders; and,
    - On its own motion, and without holding a hearing, dismiss an appeal as frivolous or vexatious or commenced in bad faith. A panel decision on its motion is final.
- The chair of the panel shall notify the parties of any decisions made by the panel.

p) Decision of the Panel
- The panel shall provide its decision and its reasons, including any dissent to the deputy Ministry of Education.
- The panel shall provide a copy of the decision, reasons and dissent to the Deputy Ministry of Education.
- If the panel overturns the determination as to whether there is a breach of the Code made by the Integrity Commissioner, any sanction imposed by the Integrity Commissioner is revoked.
- If the panel upholds the determination made by the Integrity Commissioner, the panel shall, within 30 Business Days after receiving the Respondent's submissions of the appeal, uphold, vary or overturn the sanction.
- If a sanction is varied or overturned, the variation or overturning shall be deemed to be effective as of the date of the original determination made by the Integrity Commissioner.

q) Records and Information

- A board shall keep records and publish information on its website about each of the following:
    - A matter referred to an Integrity Commissioner for investigation and determination;
    - A decision of the Integrity Commissioner to refuse to commence an investigation under *Refusal to Commence Investigation* above;
    - Determination of an Integrity Commissioner that a Trustee has or has not breached the Code and any sanction(s) imposed, and
    - A determination by a panel upholding or overturning an Integrity Commissioner's determination including any variation of a sanction.
- Where the alleged breach of the Board's Code or the determination regarding the breach involves any of the matters described in clauses 207(2) (a) to (e) of the *Education Act,* the board shall publish only such information as is appropriate.

5. References and related documents

TLDSB procedures and reference documents

- TLDSB Organizational By-laws
- OP-6021 Code of Conduct Procedure
- BD-2051 Roles and Responsibilities of the Board of Trustees Policy

External references documents

- Education Act s. 169.1, s. 218
- Ontario Reg 312/24 Members of School Boards- Code of Conduct
- Ontario Reg, 306/24 Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct
- Ontario Reg. 357/06 Honoraria for Board Members s. 13
- Municipal Conflict of Interest Act
- Ontario Public School Boards Association (OPSBA): Code of Conduct for School Boards Template
- OPSBA's Guide to Good Governance

6. Appendices

6.1 Trustee Staff Protocol

6.2 Trustee Declaration and Oath of Office

If you require this information in an accessible format, contact Communications Services at info@tldsb.on.ca.

Trustee- Staff Protocol

Rationale

Trustees work collaboratively with many partners and stakeholders in order to perform their duties and to execute their powers. Trustees are the elected representatives who are the important link between the school system and the community. They represent the voice of the community and are responsible for school board governance.

Staff members are responsible for the implementation of Board policies and for the day-to-day operations and management of the school system. They develop and implement educational programs and ensure that schools are operated according to provincial acts and regulations. They ensure that schools best serve the needs of students and those students achieve maximally.

To facilitate responsible representation, an effective working relationship among Trustees, community members, school and Board staff and administration, is a necessity. The partnerships which are forged must be based on a common understanding of their interdependent roles and responsibilities.

Purpose
The purpose of this protocol is to provide guidelines regarding the working relationship between Trustees and staff in relation to:

- Communication
- Attendance at functions
- Opening of new Board facilities
- Resolving parent/community concerns

Communication

Communication is a shared responsibility where all parties endeavor to ensure an open and transparent line of ongoing communication.

Principals
To facilitate communication between schools and Trustees, principals are requested to:

- Send the local Trustee a copy of the school newsletter and school calendars which include special events (preferably electronically);
- Communicate immediately to the Area Superintendent information related to any school incident or crisis which may create concern within the community. The Area Superintendent or designate will contact the local Trustee and share all pertinent information so that the Trustee can respond appropriately to questions from parents or the school community.

Trustees
Trustees are encouraged to share positive or congratulatory messages, either their own or those heard from parents or community members, directly with principals.

Media
Communication with the ***media*** for matters of a sensitive nature::
- The official media spokespersons are the Board Chair, on behalf of Trustees, and the CEO, on behalf of the staff;
- Trustees should refer media requests to the Board Chair or the CEO's Office;
- In times of crisis, there should be immediate communication with the School Superintendent who will contact the CEO's Office. The CEO will ensure that Trustees are informed of all relevant information in a timely manner.

Communication with the ***media*** for local matters:
- Trustees should contact the CEO's Office if they are contacted by the media for comment on an issue.

Attendance at Functions

Principals should ensure that their local Trustee is invited to school functions at which parents and community members are in attendance. A Trustee may be invited as a special guest and/or asked to bring greetings on behalf of the Board (if/when appropriate) Examples are:
- Graduation;
- Open house;
- Performances and special events;
- School Council meeting.

Superintendents, managers, supervisors are encouraged to:
- Invite Trustees to special events involving staff and community members;
- Make Trustees aware of innovations, directions, programs related to specific departments;
- Send flyers and invitations related to community events to all Trustees.

Trustees are responsible for:
- Acknowledging all invitations and confirming attendance in a timely manner;
- Ensuring that the superintendent, principal, manager or supervisor is aware of their presence upon arrival at an event.

The **role of the Trustee** should be outlined in advance:
- Trustees should play the prominent political role at all functions and should be included as part of the platform party, invited to bring greetings from the Board, and/or present awards;
- *Greetings from the Board* should be 2 minutes in length or less;
- An *Opening Address* should be 5 minutes or less.

Generally, the sequence of **speeches and presentations** by guests who are in attendance at functions (the list below is not intended to be prescriptive), following opening remarks from the principal, if applicable, should be:
- Board Chair;
- Local Trustee;
- CEO or designate;
- Principal;
- School Council Chair;
- Staff, students and other school personnel.

Any visiting dignitaries (e.g., municipal, provincial, federal politicians) from outside of the Board should speak after Board dignitaries.

Opening of Board Facilities (Board, school or major additions)

The **principal (or designate) and Supervisory Officer** shall:

- Include local Trustee participation in the Ground-Breaking Ceremony;
- Ensure that ribbon cutting ceremonies are performed by representatives selected from among the Board Chair, the local Trustee(s), the CEO and students;
- If feasible, invite the local Trustee(s) to tour the new project prior to the official opening;
- Ensure that the Board Chair or designated Trustee plays a prominent role in the Official Opening Ceremonies.

Responding to Parent/Community Concerns

- **Trustees** should advise parents and community members to contact the school principal with their complaint or concern. If the Trustee would like follow-up or feedback regarding the issue, or if the matter is not resolved at the school level, he/she should contact the Area Superintendent.
- **Trustees** should direct their own school-related questions, concerns or general requests for information to the appropriate superintendent. Trustees must recognize that information about the day-to-day operations of schools is not necessarily appropriate for sharing with Trustees.
- **Staff** should refer concerns or complaints expressed by parents or community members that are not resolved at the teacher or staff level to the principal or immediate supervisor.
- **Staff** is encouraged to refer questions, concerns, and/or requests for information from Trustees to the principal or immediate supervisor.
- **The Principal, Supervisor, or Area Superintendent** will endeavour to ensure that issues raised by Trustees are dealt with and that timely feedback to the Trustee is provided.

Under normal circumstances, anonymous parent/community complaints, whether verbal or written, from sources internal or external to the Board, will not be entertained.

The tldsb.ca website advises parents/guardians to follow the steps below if they have a question or concern about their child's education:

First: Contact the classroom teacher and discuss the situation.
Then – if the situation has not been resolved:
Contact the principal or vice-principal and request help in dealing with the matter.
Then – if necessary:
Contact the superintendent of your child's school. Call 1-888-526-5552 and ask for the name of the superintendent for your child's school.
Then- if necessary;
Contact the Student and Family Support Office at 1-844-501-0360 or tldsb-sfso@tldsb.on.ca
Then – if necessary: Contact the CEO through the school board office at 1-888-526-5552.

Further information can be found in the Communication and Collaboration with Parents/Guardians Procedure.

Trustee Declaration and Oath of Office

Declaration and Oath of Office

S.209, Education Act
209. (1) Declaration – Except as provided in subsection (2), every person elected or appointed to a Board, on or before the day fixed for the first meeting of the new Board, or on or before the day of the first meeting that the person attends, shall make and subscribe the following declaration in English or French before the secretary of the Board or before any person authorized to administer an oath or affirmation and in default the person shall be deemed to have resigned.

Declaration

I, *FIRST AND LAST NAME OF TRUSTEE* do solemnly declare that:

1. I am not disqualified under any Act from being a member of Trillium Lakelands District School Board.
2. I will truly, faithfully, impartially and to the best of my ability, execute the office of Trustee, and that I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or malversation or other undue execution of the said office and that I will disclose any pecuniary interest, direct or indirect, as required by and in accordance with the *Municipal Conflict of Interest Act.*

Declared before me at _____ In the Province of Ontario this _____day of _____20_____

_____ _____
Secretary of the Board or designate Board Member

(1) Idem – Where a person is elected or appointed to fill a vacancy on a Board, the person shall make such declaration on or before the day fixed for holding the first meeting of the Board after his or her election or appointment or on or before the day of the first meeting that the person attends and in default the person shall be deemed to have resigned.

(2) Oath of Allegiance – Every person elected or appointed to a Board, before entering on his or her duties as a Board member, shall take and subscribe before the secretary of the Board or before any person authorized to administer an oath, the oath or affirmation of allegiance in the following form, in English or French:

Oath of Office

I, *FIRST AND LAST NAME OF TRUSTEE,* do swear that I will be faithful and bear true allegiance to His Majesty King Charles III

Sworn before me at _____In the Province of Ontario on this _____day of _____ 20_____

_____ _____
Secretary of the Board or designate Board Member

(3) Filing of declaration and oath – The declaration and oath or affirmation of allegiance shall be filed with the secretary of the Board within eight days after the making or taking thereof, as the case may be.
[S.O. 1994, c.23, s.65; 1997, c. 31, s 108]