

Kelsey School Division Box 4700 The Pas, MB R9A 1R4	Code: BCA
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TRUSTEE CODE

A. Relationship Bias

Trustees shall act at all times in the best interests of Kelsey School Division as a whole, fulfilling their responsibilities and obligations as elected public officials in a fashion that inspires confidence and trust in the integrity, objectivity and impartiality of the school board.

B. Trustee Principles

In working to make our mission statement a reality, the Board of Trustees of Kelsey School Division accepts the following principles to guide its interactions with various people in its work as trustees:

1. While charged with the ultimate responsibility for the operation of the School Division, trustees will abide by the provisions of all federal, provincial and local legislation, including but not limited to human rights statutes, *The Public Schools Act*, and school division by-laws and policies.
2. Trustees recognize that the School Board’s authority rests with the corporate body, not with individual trustees, and therefore will speak or act on behalf of the School Board only if they have been authorized to do so.
3. Trustees will work in partnership with the Senior Administration Team, and recognize that most direction to Senior Administration will come through collective Board decisions.
4. Trustees will strive to attend all regular and special meetings of the School Board and those committees on which they serve, and if unable to do so, advise the appropriate individuals of their pending absence.
5. Trustees will review meeting agendas and other relevant information prior to board and committee meetings, and arrive at such meetings informed and prepared to contribute to the open and honest discussion about matters before the board or committee. Trustees will respect the confidentiality concerning privileged information.
6. Trustees will listen respectfully and with an open mind to the full range of opinions on each matter before them, and make their decisions based on the merits of these varying opinions.
7. Trustees will treat Board colleagues, divisional and school staff, students and community members in a respectful and courteous manner, and refrain from using abusive or denigrating language in any dealings with them.
8. Trustees will support the majority decisions of the Board by providing to those who ask the rationale for such decisions.

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9. Trustees retain the right to a dissenting opinion and to seek changes to decisions of the Board through ethical and constructive channels.
10. Trustees will offer information, ideas or suggestions without expressing specific expectations for action.
11. Trustees have the right to make reasonable requests for information from existing reports, and about policies, programs and services.
12. Trustees will provide information about repeated commentary from the community regarding employee performance without becoming involved in the process of supervision.
13. As individuals, trustees will generally relate information, ideas or suggestions through Senior Administration Team members and not contact school staff directly.
14. Trustees will direct complaints through proper channels: teacher, principal, Senior Administration and Board, recognizing that it is not the role of an individual trustee to solve a complaint but to provide information and to make sure the complainant knows the process.
15. In relationships with school advisory councils, trustees agree that the Chair of the Board and/or the Superintendent is/are the official spokesperson(s) for the Board on School Divisional issues, especially to the media. As individuals, trustees may respond to questions on matters related to policies, programs and services.
16. Trustees will ensure that written communication from an individual trustee that may be of a public nature is vetted by the Board.

C. Definition – Conflict of Interest

1. A conflict of interest exists when an individual trustee’s personal pecuniary interests, or those of family members, business partners, or close personal associates, financial or otherwise, interfere with or compromise the trustee’s ability to act in the best interests of the school division and the constituents whom it serves. Such conflict of interest may be real, potential or perceived.
2. In addition to the provisions of the Public Schools Act concerning monetary conflicts of interest, trustees are also considered to be in a conflict of interest in these circumstances:
 - a) When they, their dependents, business partners or close personal associates may benefit financially or professionally, either directly or indirectly, from the trustee’s position on the Board;
 - b) When circumstances arise that compromise, or appear to compromise, independence and impartiality to make fair and unbiased decisions. (i.e. employment or professional status, political affiliations, community affiliation that may conflict with trustee responsibilities);

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- c) When they appropriate divisional financial or other resources for personal use. (i.e. information, equipment, supplies); and
- d) When they are involved in staffing and student issues involving dependents, business associates or personal friends (i.e. contracting for services, hiring, promotions, evaluations, disciplinary actions). Sec. 36(1) of the Public Schools Act defines a dependent as (a) the spouse or common law partner of a trustee, and (b) any child, natural or adopted, of the trustee who resides with the trustee.

3. Disclosure of Conflict of Interest

- a) A trustee must openly disclose a real, potential or perceived conflict of interest as soon as the issue arises and before the Board or its committees deal with the matter.
- b) Where uncertain about whether or not the issue constitutes a conflict of interest, the trustee may consult with the Board Chair or the Secretary Treasurer for advice and guidance.
- c) Where any trustee is aware of a real, potential or perceived conflict of interest not declared by any other trustee, the trustee has a responsibility to raise the issue of clarification with the individual, and if unresolved, then with the Board.
- d) Full disclosure does not remove or eliminate a conflict of interest.

4. Decision-Making Process

- a) Where there is a question of uncertainty about a conflict of interest circumstance, the Board by vote shall make a final determination. The trustee potentially in conflict shall be absent from the discussion and for the vote.
- b) Where a conflict of interest is declared/confirmed, the trustee so affected will be absent from any discussion of the issue and vote upon it. Further, the trustee shall not attempt to personally influence the Board’s decision in regard to the issue.
- c) Conflict of interest disclosures and decisions shall be duly recorded by the Secretary Treasurer in the official minutes of the meeting at which such disclosure/decision occurred.

D. Definition – Code of Conduct

- 1. An alleged breach of the Code of Conduct as defined in the Trustee Principles shall be brought to the attention of the trustee by the Chair or Vice-chair of the Board prior to its presentation to the Board of Trustees.

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2. Decision Making Process

- a) All discussions will be held in camera and a record of the discussion will include only the date, members present, the identity of the trustee in question, and the section of the Code being discussed.
- b) A motion to sanction a trustee may be debated in camera but must be voted on by resolution in public at a regular Board meeting.
- c) The trustee who is alleged to have breached the Code may be present at the regular Board meeting, may participate in the deliberation of the breach of the Code and sanction, but shall not vote on a resolution to impose a sanction nor attempt to intimidate a vote on sanction.
- d) To be approved, a motion to impose a sanction requires an affirmative vote of 2/3 of all members of the school board.
- e) Sanctions for a breach of the Code shall take effect immediately after the vote at a regular meeting.

3. Sanctions

If the Board determines that a trustee has breached the Code of Conduct that applies to the trustee as defined but not limited to Section B, the Board may impose one or more of the following sanctions:

- a) A written apology
- b) Censuring the trustee
- c) Barring the trustee from attending all or part of a meeting of the school board or a committee of the school board.
- d) Suspending the trustee from the school board, including suspending all the trustee's rights, duties and privileges as a member of the school board, for up to three months.

4. Appeals

A trustee may appeal a sanction under Regulation 114/2015 of the Public Schools Act.