



POLICY #7

BOARD MEMBER CODE OF CONDUCT

The position of School Trustee is one of responsibility and trust, and individuals holding that position must conduct themselves accordingly. Therefore, in accordance with section 35.1 of The Public Schools Act, the School Trustees of Brandon School Division:

- 7.1** 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 Brandon School Division by-laws and policies.
- 7.2** 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.
- 7.3** Understand that their position may make them privy to confidential information about individuals including students or staff, or financial or other sensitive matters, and will keep any such information confidential.
- 7.4** Strive to attend all regular and special meetings of the Board and those committees on which they serve, and if unable to do so, advise the appropriate individuals of their pending absence.
- 7.5** 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.
- 7.6** 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.
- 7.7** 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.
- 7.8** Keep informed of the organization's history, goals, policies, publics and current activities so they are better able to make effective decisions.
- 7.9** Respect the decision of the majority as determined within the recognized mandate of the Board of Trustees, reserving the right to seek changes to these decisions in the future through ethical and constructive channels.
- 7.10** Recognize that the responsibility of the Board is to make policy and to give direction and that the day-to-day administration of the Brandon School Division is the responsibility of the Superintendent/CEO and staff.



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Conflict of Interest

- 7.11** Refrain from using the position of Trustee for personal gain or the pursuit of personal interest and avoid any situation(s) which might suggest a conflict of interest or the appearance of impropriety in the performance of responsibilities as a Trustee.

Trustees must avoid conflict of interest with respect to their fiduciary responsibility:

- i. There will be no self-dealing or business by a member with the organization. Trustees will disclose their involvements with other organizations, with vendors, or any associations which might be, or might reasonably be seen as being, a conflict. No member of the Board shall take part in the discussion of any questions in which he has a pecuniary interest beyond his/her interest as an ordinary ratepayer, nor shall he/she vote on the same. Refer to *The Public Schools Act* Section 36 to 39.8 inclusive.
- ii. When the Board is to decide upon an issue, about which a Trustee has an unavoidable conflict of interest, that Trustee shall absent herself or himself without comment from not only the vote, but also from the deliberation.
- iii. Trustees will not use their Board position to obtain employment in the organization for themselves, family members, or close associates. A Trustee shall absent herself or himself without comment from not only the vote, but also from the deliberation of employment pertaining to family members, close associates, or the Trustee her/himself. Should a Trustee be successful in securing employment with the Brandon School Division, he or she must resign from the Board prior to start of employment.

Process for Addressing Breaches of the Code of Conduct

7.12 At the Board Table

Any Trustee perceiving another Trustee to be in possible breach of the Code of Conduct shall have the right to move that the Board of Trustees resolve itself into committee of the whole in-camera on a point of privilege, during which the Trustee shall raise the perceived breach with the full Board for consideration. The Board may choose, by motion, whether to include Senior Administration in the In-Camera meeting.



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Outside the Board Table

Any Trustee perceiving another Trustee to be in possible breach of the Code of Conduct should first raise the concern with that member with the intent to resolve the concern. If the concern is not resolved the Trustee may proceed to inform the Chairperson, or if more appropriate, the Vice-Chairperson, who will then act as conciliator. Failing resolution, at the request of either party, the Chairperson or the Vice-Chairperson shall present the perceived breach to the full Board for consideration at an in-camera session.

Response to Breach of Code of Conduct

Where in the opinion of the Board a breach of the Code of Conduct has occurred the Board shall respond, as outlined in *The Public Schools Act* (Sec. 35.2), by taking such course of action which might include:

- a) A written reprimand from the Board and/or;
- b) The removal from any position of appointment made by the Board for such length of time as the Board determines.

Procedures in Event of Possible Conflict of Interest

Any Trustee perceiving another Trustee to be in conflict of interest shall follow the Conflict of Interest guidelines as outlined in the provisions under *The Public Schools Act*. Board response shall be in accordance with provisions under *The Public Schools Act*.

References:

Policy 1 – Vision, Values and Mission
Policy 4 – Role and Responsibilities of the Board
Policy 6 – Board Operations

Legal Reference: *The Public Schools Act*

Date of Approval:
September 11, 2017

Date of Amendment: