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The position of School Trustee is one of responsibility and trust, and individuals holding this position must conduct themselves accordingly. Therefore, in accordance with section 35.1 of *The Public Schools Act*, the Board of Trustees of the Interlake School Division has established a Code of Conduct to govern its behaviours.

- 8.1** 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 Interlake School Division by-laws and Board Governance policies.
- 8.2** Trustees recognize that the Board's authority rests with the corporate body, not with individual Trustees, and therefore will speak or act on behalf of the Board only if they have been authorized to do so.
- 8.3** Trustees 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.
- 8.4** Trustees 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 Board Chairperson or the Secretary-Treasurer of their pending absence.
- 8.5** Trustees 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.
- 8.6** Trustees 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.
- 8.7** Trustees treat Board colleagues, divisional and school staff, students, and community members in a respectful and courteous manner.
- 8.8** Trustees keep informed of the organization's history, goals, Board Governance Policies, and current activities so they are better able to make effective decisions.

**8.9** Trustees respect the decision of the majority as determined within the recognized mandate of the Board, reserving the right to seek changes to these decisions in the future through ethical and constructive channels.

**8.10** Trustees recognize that the Board is responsible to develop Board Governance Policies and to give direction and that the day-to-day administration of the Division is the responsibility of the Superintendent/CEO and staff.

### **8.11 Conflict of Interest**

Trustees are to 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 as established in the *The Public Schools Act*.

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

- There will be no self-dealing or business by a Trustee 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. Trustees shall not take part in the discussion of any questions in which they have a pecuniary interest beyond their interest as an ordinary ratepayer, nor shall they vote on the same.
- When the Board is to decide upon an issue about which a Trustee has an unavoidable conflict of interest, that Trustee shall absent themselves, without comment, from not only the vote, but also from the discussion.
- Trustees will not use their Board position to obtain employment in the organization for themselves, family members, or close associates. Trustees shall absent themselves without comment from not only the vote, but also from the discussion of employment pertaining to family members, close associates, or the Trustee themselves. Should a Trustee be successful in securing employment with the Interlake School Division, they must resign from the Board prior to the start of employment.

### **8.12 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*.

### **8.13 Process for Addressing Breaches of the Code of Conduct**

#### **At the Board Table**

Any Trustee perceiving another Trustee to be in possible breach of the Trustee 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.

#### **Outside the Board Table**

Any Trustee perceiving another Trustee to be in possible breach of the Trustee Code of Conduct should first raise the concern with that member and will inform the Chairperson, or if more appropriate, the Vice-Chairperson, who will 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.

### **8.14 Enforcing the Code of Conduct**

If the Board determines that a Trustee has breached the Code of Conduct that applies to the Trustee, the Board may impose one or more of the following sanctions:

1. Censuring the Trustee.
2. Barring the Trustee from attending all or part of a meeting of the Board or a committee of the Board.
3. Suspending the Trustee from the Board, including suspending all the Trustee's rights, duties and privileges as a member of the Board, for up to three months.

### **8.15 Motion to sanction a Trustee is subject to the following rules:**

1. The motion may be debated at a Board meeting that is closed to the public, but must be voted on in public.
2. To be approved, a motion to impose a sanction requires an affirmative vote of 2/3 of all the members of the Board.
3. When a sanction has been imposed, it is considered to be an absence authorized by the Board.
4. In its indemnity by-law, the Board may specify that the annual indemnity payable under that provision may be reduced as a result of a Trustee being sanctioned.
5. A Trustee who is sanctioned by being barred or suspended, may appeal for adjudication to the Minister of Manitoba Education and Training.
6. A Trustee who wishes to appeal a sanction must provide written notice to the Minister within 10 days of the day the sanction was imposed.

7. An adjudicator who hears an appeal may vary or set aside the sanction imposed on a Trustee, as the adjudicator sees fit.
8. The costs of adjudication must be paid by the Division. If authorized by the adjudicator, the Division may recover some or all of the costs from the Trustee.
9. See [Trustee Code of Conduct Appeal Regulation](#) for more information on appeals.