

202.1 Trustee Code of Conduct

Policy

The *Education Act*, Section 33 requires every Board of Trustees in Alberta to adopt a code of conduct that applies to trustees of the Board. The purpose of this Code of Conduct is to provide standards for the conduct of members of the Board of Trustees of Lethbridge School Division (“the Board”) and relating to their roles and obligations and a procedure for the investigation and enforcement of those standards. This Code of Conduct applies to all Trustees of the Board, including the Chair.

This Code of Conduct is one aspect of accountability and transparency both internally among Trustees, and between the Board and Administration, as well as externally, with Division students, parents, the public at large, other orders of government and the media.

It is expected that all interactions related to the operations of the Board, and relationships will be characterized by mutual respect.

Regulations

1. Framework and Interpretation

This Code of Conduct is to be given a broad and liberal interpretation in accordance with applicable legislation. It is not possible to write a Code of Conduct that covers every scenario and, accordingly, Trustees are to be guided by and conduct themselves in a manner that reflects the spirit and intent of this Code.

This Code of Conduct provides a framework to guide ethical conduct in a way that upholds the integrity of the Board and the high standards of professional conduct. This Code of Conduct is intended to supplement other legal duties imposed on Trustees by Board policy, applicable legislation, and Roberts Rule of Order, including but not limited to: See **Legal References**

2. Standard of Conduct

- 2.1. Trustees are expected to perform their duties and functions of office with integrity, accountability and transparency.
- 2.2. Trustees have a duty to act honestly, in good faith, and in the best interests of the Division.
- 2.3. Trustees must:
 - 2.3.1. Uphold the law established by the Federal Parliament and the Alberta Legislature and the policies adopted by the Board,
 - 2.3.2. Carry out their duties in accordance with all applicable legislation, Board policies pertaining to their position as a Trustee,
 - 2.3.3. Perform their duties to a high standard of ethical conduct,
 - 2.3.4. Arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny; and

- 2.3.5. Serve and be seen to serve the interests of the Division and their constituents in a conscientious and diligent manner
- 2.3.6. And shall approach decision-making with an open mind

3. Confidential Information

- 3.1. A Trustee must not disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, except when required by law or authorized by the Board to do so. This is a continuous obligation that extends beyond the Trustee's term of office.
- 3.2. A Trustee must not access or attempt to gain access to confidential information unless it is required for the performance of the Trustee's duties and only then if the information is acquired through appropriate channels in accordance with applicable Board policies.
- 3.3. A Trustee must not use or attempt to use confidential information for their own personal benefit or for the benefit of any other individual or organization.

4. Conflicts of Interest

- 4.1. The Board expects that every Trustee will:
 - 4.1.1. be knowledgeable of Sections 85 – 96 of the *Education Act*,
 - 4.1.2. file a disclosure of information as required by Section 86 of the *Education Act*,
 - 4.1.3. accept sole responsibility for declaring a pecuniary interest or other conflicts of interest and abstain and absent themselves from discussion or voting on the matter as applicable.
 - 4.1.4. be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise,
 - 4.1.5. refrain from, in the exercise of an official power, duty or function, giving preferential treatment to any individual or organization if a reasonably well-informed person would conclude that the preferential treatment was advancing a private interest; and
 - 4.1.6. refrain from initiating, endorsing, supporting, or otherwise participating in any proceeding being brought against the Board or the Division.

5. Improper Use of Influence

- 5.1. A Trustee must not use the influence of their office for any purpose other than for the exercise of the Trustee's official duties.
- 5.2. A Trustee must not act as an agent to advocate for any individual, organization, or corporate entity before the Board or a committee of the Board or any other body established by the Board.

6. Conduct at Meetings

- 6.1. Trustees must conduct themselves with decorum and respect and make every effort to participate diligently in the meetings of the Board, committees of the Board and other bodies to which they are appointed by the Board.

- 6.2 Trustees must comply with Board policies and procedures governing the conduct of meetings of the Board, and any other rules of meeting procedure applicable to the body to which they have been appointed by the Board.
- 6.3 Trustees must act in a manner that demonstrates fairness, respect for individual differences, and an intention to work together for the common good and in furtherance of the public interest.
- 6.4 Trustees must conduct and convey the Board's business and all their duties in an open and transparent manner other than for those matters which are authorized by the Board in accordance with Section 64 of the *Education Act* to be dealt with in a confidential manner in a private meeting, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- 6.5 A Trustee must not electronically record any proceedings of the Board or any committee of the Board without the express permission of the Board or the committee, as applicable.

7. Discreditable Conduct

- 7.1 Trustees have a duty to treat members of the public, one another and Division staff and students with dignity and respect and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment.
- 7.2 A Trustee must not use indecent, abusive, or insulting words or expressions toward any other Trustee, any Division staff member or student or any member of the public.
- 7.3 A Trustee must not conduct themselves in a manner that is discriminatory to any individual based on *Alberta Human Rights Act*.

8. Election-Related Activity

- 8.1 Trustees are required to follow the provisions of the *Local Authorities Election Act* and municipal election bylaws, are accountable under the provisions of that statute. Trustees should not make inquiries of, or rely on, Division staff to interpret or provide advice to Trustees regarding the requirements placed on candidates for the office of trustee. Trustees must be respectful of the role of the Corporate Secretary in managing the election process and must not interfere with how the Corporate Secretary's election duties are carried out.
- 8.2 Trustees must not use division resources, including property, equipment, services, supplies or staff time, for any election-related activities, whether local, provincial or federal. Online resources hosted, supplied or funded by the Board, including but not limited to Trustee electronic newsletters, and Trustee social media accounts used for communication must not be used for any election campaign or campaign-related activities.

9. Compliance with this Code of Conduct

- 9.1 Trustees may become disqualified and be required to resign if the Trustee commits a disqualifying action pursuant to section 87 of the *Education Act*.

- 9.2. Any reported violation of a provision of this Code of Conduct may be subject to investigation in accordance with Appendix II. by the Board or a third-party investigator appointed by the Board.
- 9.3. Trustees are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Code of Conduct.
- 9.4. A Trustee must not:
 - 9.4.1. undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to the Board or to any other person in accordance with this Code of Conduct; or
 - 9.4.2. obstruct the Board, or any other person, in carrying out the objectives or requirements of this Code of Conduct.

Legal References

- 1. Education Act; and Regulations
- 2. Board Policy and Administrative Procedures
- 3. Alberta Human Rights Act
- 4. Criminal Code (Canada);
- 5. Freedom of Information and Protection of Privacy Act;
- 6. Local Authorities Election Act; and
- 7. Occupational Health and Safety Act.