

Trustee Code of Conduct	
Adopted: October 18, 2011	Last Reviewed/Revised: September 17, 2024
Next Scheduled Review: 2027-2028	
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Purpose

To provide trustees and student trustees with a consistent standard, direction and guidelines for their conduct and role in Board Governance as a member of the Halton Catholic District School Board (HCDSB).

Application and Scope

This policy applies to all trustees and student trustees of the Halton Catholic District School Board.

References

[Criminal Code of Canada](#)

[Education Act](#)

[Municipal Conflict of Interest Act](#)

[Municipal Freedom of Information Act and Protection of Privacy Act \(MFIPPA\)](#)

[O. Reg 312/24](#)

Definitions

In this Code of Conduct, “Trustee” means a member of the Halton Catholic District School Board of Trustees.

Principles

Whereas the aim of Catholic Education is the development of each student toward personal fulfillment and responsible citizenship motivated by the Spirit of the Gospel and modeled on the example of Jesus Christ, the Catholic School Trustee shall, within the duties prescribed in Acts and Regulations and reflecting a ministry within the church:

- acknowledge that Catholic schools are an expression of the teaching mission of the Church;
- provide an example to the Catholic Community by active participation in the communal life of a parish, and by a personal lifestyle that reflects the teaching of the Church;
- provide the best possible Catholic education according to the programs approved by the Canadian Conference of Catholic Bishops and the provincial Minister of Education;
- affirm a strong sense of Christian Catholic Community; and
- provide support, encouragement and prayer for the efforts of all persons engaged in the ministry of Catholic Education in Canada.

The members of the Halton Catholic District School Board of Trustees occupy positions of public trust and confidence. They are expected to discharge their duties and responsibilities in a professional, impartial and Catholic manner.

It is imperative that the Trustees be, and be seen to be, acting in the best interests of the public they serve.

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.

Requirements

1. Specific Requirements under Part VI of the *Education Act* and *O. Reg. 312/24*

All trustees are expected to comply with the following duties of Board members as set out in section 218.1 of the *Education Act*:

“A member of a board shall,

- a) carry out his or her responsibilities in a manner that assists the board in fulfilling its duties under this Act, the regulations and the guidelines issued under this Act, including but not limited to the Board's duties under section 169.1;
- b) attend and participate in meetings of the board, including meetings of board committees of which he or she is a member;
- c) consult with parents, students and supporters of the board on the board's multi-year plan under clause 169.1 (1) (f);
- d) bring concerns of parents, students and supporters of the board to the attention of the board;
- f) e) uphold the implementation of any board resolution after it is passed by the board; entrust the day to day management of the board to its staff through the board's Director of Education;
- g) maintain focus on student achievement and wellbeing (through the development of policies); and
- h) comply with the board's Code of Conduct."

In accordance with O. Reg. 312/24:

1. "A board member shall comply with the board's code of conduct and any applicable board by-law, resolution, policy or procedure.
2. When acting or holding themselves out as a board member, the member shall conduct themselves in a manner that would not discredit or compromise the integrity of the board.
3. When acting or holding themselves out as a board member, the member 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."

Additional Duties of the Chair:

In addition to the duties of Trustees set out in section 281.1 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 a 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 the Board's Director of Education or the supervisory officer acting as the Board's Director of Education (an Associate Director may act as Secretary to the Board in the absence of the Director);
- 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) convey the decisions of the Board to the Board's Director of Education;
- g) provide leadership to the Board in maintaining the Board's focus on the multi-year plan established under section 169.1;
- h) provide leadership to the Board in maintaining the Board's focus on the Board's Mission and Vision; and
- i) assume such other responsibilities as may be specified by the Board."

2. Catholic Faith, Community and Culture

Each Halton Catholic District School Board Trustee (Trustee) shall, within the duties prescribed in the *Education Act*, its Regulations, and other applicable legislation, and reflecting a ministry within the Church:

- a) acknowledge that Catholic schools are an expression of the teaching mission of the Church;
- b) provide an example to the Catholic Community that reflects the teaching of the Church;
- c) work to encourage a sense of Christian Catholic community through interaction with all stakeholders;
- d) provide the best possible Catholic education according to the programs approved by the Assembly of Catholic Bishops of Ontario, and the provincial Ministry of Education;
- e) recognize and rigorously defend the constitutional right of Catholic education and the democratic and corporate authority of the Board;
- f) respect the confidentiality of the Board with respect to matters dealt with during the closed session (in camera), consistent with Section 4.3.3 of the HCDSB Procedural By-Law;
- g) ensure the affairs of the Board are conducted with openness, justice, and compassion;
- h) work to improve personal knowledge of current Catholic educational research and practices;
- i) provide support, encouragement, and prayer for the efforts of all persons engaged in the ministry of Catholic Education in Canada.

3. Integrity and Dignity of Office

- Trustees are expected to discharge their duties and responsibilities in a professional and ethical manner, consistent with Gospel Values, the teachings of the Catholic Church, the *Education Act* and Regulations, the *Municipal Freedom of Information and Privacy Act* and Regulations, the *Municipal Conflict of Interest Act*, the HCDSB Procedural By-Law and Policies, and any other Act or Regulation that may be applicable to the Trustees' duties.
- Trustees will act, and be seen to act, in the best interests of the public they serve. Trustees are elected to represent all stakeholders in the HCDSB by articulating and supporting a shared commitment to excellence in Catholic education that promotes student achievement and well-

being through the delivery of effective and appropriate education programs and effective stewardship of the Board's resources.

- Trustees will provide direction, oversight and evaluation to ensure the development and delivery of quality education programs in order to maximize the achievement and well-being of all students.
- Trustees inform and influence public perceptions and provincial education law and policy. As community leaders, Trustees engage with the public to build understanding, guidance, and active support for publicly funded Catholic education.

4. Civil Behaviour

- Trustees shall, at all times, act with decorum and shall be respectful of other Trustees, the Director of Education, staff, all members of the HCDSB community, as well as the public.
- As stewards of the system, Trustees are held to a high standard of conduct and should serve as role models of exemplary behaviour reflective of the values articulated in the Ontario Catholic School Graduate Expectations.

This includes, but is not limited to:

- Trustees shall respect and comply with all applicable federal, provincial, and municipal laws;
 - Trustees shall demonstrate honesty and integrity;
 - Trustees shall respect differences in people, their ideas, and their opinions;
 - Trustees shall treat one another with dignity and respect at all times, and especially when there is disagreement;
 - Trustees shall respect and treat persons equally without discrimination based on a person's race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, creed, gender identity, gender expression, sex, sexual orientation, age, marital status, family status or disability; and
 - Trustees shall respect the rights of others.
- Trustees shall be prepared for meetings, avoid disrupting the process, and refrain from engaging in conduct or contributing to a tone of sarcasm or denigration during meetings of the Board, and at all other times that would discredit or compromise the integrity of the Board.
 - In performing their duties as trustees, and in all manners of communication, including but not limited to, email, newsletters, telephone, and in-person or virtual meetings with staff, parents, and other stakeholders, appropriate language and professionalism are expected. Trustees must adhere to *Policy I-43 Use of Technology and Digital Citizenship*, as well as *Policy III-16 Workplace Harassment*, as required under Bill 168. Trustees are bound to uphold and abide by all pertinent HCDSB policies and procedures.
 - Subject to the duty of a Trustee under section 218.1 (e) of the *Education Act* to uphold the implementation of any Board resolution after it is passed by the Board, a Trustee may comment

on, or disagree with, a decision taken by the Board. A Trustee shall not make disparaging or demeaning remarks about another Trustee or a group of Trustees in expressing such comment or disagreement or speculate on the motives of a Trustee or a group of Trustees, or staff.

- Any Trustee who fails or refuses to comply with the HCDSB Procedural By-Law and/or the Trustee Code of Conduct, uses offensive language, disobeys the decisions of the Chair of the Board on points of order, or makes any disorderly noise or disturbance, may be ordered by the Chair to leave for the remainder of the meeting, and in the case of a refusal to do so, may, on the order of the Chair, be removed from the room where such meeting is taking place and/or the Board office. Such a removal will be recorded in the minutes of the meeting. Section 207 (3) of the *Education Act* addresses the exclusion of persons from board meetings. It provides: “*The presiding officer may expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting.*”

5. Complying with Legislation

All Trustees shall comply with the letter and spirit of all laws of Canada and the Province of Ontario and any contractual obligations of the Board in conducting the business of the Board.

- The Trustees acknowledge they may only act on behalf of the Board through resolution and may not act individually or purport to represent the interest of the Board without the express knowledge and consent of the Board of Trustees, shown through resolution.
- Trustees shall ensure that all information they communicate in the course of their duties is accurate and complete.
- All Trustees are expected to comply with the duties of Board members as set out in section 218.1 of the *Education Act* and *O. Reg. 312/24*.
- Every Trustee of the Board shall comply with this Code of Conduct.

6. Upholding Decisions

- Trustees must:
 - a) accept that authority rests with the Board and that they have no individual authority other than that delegated by the Board;
 - b) uphold the implementation of any Board resolution after it is passed by the Board;
 - c) comply with HCDSB Policies and Procedures, Procedural By-law, rules of order; and
 - d) refrain from speaking to the public on behalf of the Board unless authorized by the Board to do so.

7. Avoidance of Personal Advantage and Conflict of Interest

- All Trustees are expected to comply with the provisions of the *Municipal Conflict of Interest Act* which requires that Trustees declare and disclose the general nature of the interest for all direct and indirect pecuniary conflicts of interest and abstain from making a decision.

- Trustees are not permitted to vote on or discuss matters in which they have a direct or indirect pecuniary interest. The direct or indirect pecuniary interest of a parent, spouse or child is deemed to be the interest of the Trustee. Subsection 3(1) of the Act provides:

“For the purpose of this Act, the pecuniary interest, direct or indirect, of a spouse... or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member.”
- Where a Trustee, either on their own behalf, or while acting for, by, with, or through another, has any pecuniary interest, direct or indirect, or any other conflict of interest in any matter and is present at a meeting of the Board at which the matter is subject of consideration, the Trustee shall:
 - a) prior to any consideration of the matter of the meeting, disclose the interest and the general nature thereof;
 - b) not take part in the discussion of, or vote on any question in respect of the matter;
 - c) not discuss the issue with any other person;
 - d) not attempt in any way whether before, during or after the meeting to influence the voting on such question; and
 - e) leave the meeting or the part of the meeting during which the matter is under consideration, if the meeting is closed to the public.
- Where the interest of the Trustee has not been disclosed by reason of the Trustee’s absence from the meeting, the Trustee shall disclose the interest and otherwise comply with the above requirements at the first meeting of the Board attended by the Trustee after the meeting referred to above.
- When the meeting is open to the public, every declaration of interest shall be recorded in the minutes of the Board meeting. When the meeting is not open to the public, every declaration of interest shall be recorded in the minutes of the next meeting of the Board that is open to the public, and in the minutes of the closed session (in-camera).
- No Trustee shall use their position, authority, or influence for personal, financial, or material gain or personal business purposes or for the personal, financial or material gain or business purposes of a relative, friend, and/or business association.
- Every Trustee shall uphold and enhance all Board business operations by:
 - a) maintaining an unimpeachable standard of integrity in all their relationships, both inside and outside the Board;
 - b) fostering the highest standard of professional competence amongst those for whom they are responsible;
 - c) complying with and being seen to comply the letter and spirit of:
 - the laws of Canada and the Province of Ontario
 - contractual obligations applicable to the Board; and

d) rejecting and denouncing any business practice that is improper or inappropriate or may appear to be improper or inappropriate.

- A Trustee shall not use their position, authority, or influence to give any person or organization special treatment that might, or might be perceived to, advance the interest of the Trustee, or the interests of a relative, friend and/or business associate of the Trustee.
- A Trustee must not participate in any decision or recommendation in which they or a relative, friend, or business associate may have a financial, commercial, or business interest.
- All Trustees shall disclose a conflict of interest and/or the general nature of the interest, to the Board of Trustees.

8. Lobbying

- Trustees must not communicate with any individual attempting to exert influence during a procurement process and must not attempt to use their influence to gain or advance the interests of any particular party during a procurement process.

9. Respect for Confidentiality

- No Trustee shall disclose confidential information obtained or made available to them in their role as a Trustee except as authorized by law or by the Board.
- No Trustee shall use confidential information, including confidential information obtained by them or made available to them in their role as a 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.
- Except as required by law, all Trustees and former Trustees agree not to use, directly or indirectly, for the Trustee's benefit or the benefit of any person, organization, firm, or other entity, the Board's proprietary or confidential information disclosed or entrusted to that Trustee, and Trustees recognize that such inappropriate use of confidential information for their benefit may constitute a breach of trust contrary to section 122 of the *Criminal Code* (Canada).
- Except as required by law, and in accordance with the *Education Act* and *Municipal Freedom of Information and Protection of Privacy Act*, all Trustees agree not to use or disclose the personal and/or educational information of HCDSB employees and their families that may come to the attention of the Trustee.

10. Board Resources

- No Trustee shall use or permit the use of Board resources for any purpose other than the business of the Board.
- No Trustee shall permit relatives, friends, and/or business associates to use Board resources for personal gain.
- All Trustees shall comply with HCDSB Policies and Procedures regarding the use of Board resources, including information technology resources.

11. Enforcement of Code of Conduct and the *Municipal Conflict of Interest Act*

In accordance with the provisions of section 218.3 of the *Education Act*, a breach of this Code of Conduct by a Trustee may be dealt with by the following procedures (in the following manner):

- 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
- If an alleged breach is brought to the attention of the Board, the Board shall make enquiries into the matter and shall, based on the results of the inquiries, determine whether there has been a breach.
- If the Board determines that a Trustee has breached this Code of Conduct, the Board may impose one or more of the following sanctions:
 - i. Censure of the Trustee.
 - ii. Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board.
 - iii. Barring the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board.
- If the Board determines that a Trustee has breached this Code of Conduct, the following shall apply:
 - i. The Board shall give the Trustee written notice of the determination and of any sanction imposed by the board;
 - ii. The notice shall inform the Trustee that they may make written submissions to the Board in respect of the determination or sanction by a date specified in the notice that is at least 14 days after the notice is received by the Trustee;
 - iii. A Trustee who is subject to a Board inquiry to determine whether the trustee has breached the Code of Conduct has a right to retain and be represented by legal counsel throughout the process. Legal expenses will not be paid.
 - iv. The Board shall consider any submissions made by the Trustee and shall confirm or revoke the determination within 14 days after the submissions are received.
 - v. Despite subsection 207(1) of the *Education Act* which requires meetings of the Board to be open to the public, but subject to the requirements below for specific resolutions of the Board to be made in public, the Board may close to the public the part of the meeting during which a breach or alleged breach of this Code of Conduct is considered when the breach or alleged breach involves any of the following matters:
 - a) the security of the property of the Board;
 - b) the disclosure of intimate, personal, or financial information with respect to a Trustee or committee, an employee or prospective employee of the Board, or a student or their parent or guardian;
 - c) the acquisition or disposal of a school site;

- d) decisions in respect of negotiations with employees of the HCDSB, or litigation affecting the HCDSB.
- vi. The Board shall do the following things by resolution at a meeting of the Board, and the vote on the resolution shall be open to the public:
 - o Make a determination that a Trustee has breached this Code of Conduct.
 - o Impose a sanction on a Trustee for a breach of this Code of Conduct.
 - o Confirm or revoke a determination regarding a Trustee's breach of this Code of Conduct.
 - o Confirm, vary or revoke a sanction after confirming or revoking a determination regarding a Trustee's breach of this Code of Conduct.
- vii. A Trustee who is alleged to have breached this Code of Conduct shall not vote on any of the resolutions listed above.
- viii. If the Board confirms a determination, the Board may confirm, vary, or revoke the sanction.
- ix. If the Board revokes a determination, any sanction imposed by the Board is revoked.
- A Trustee who is barred from attending all or part of a 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 part of the meeting that are not available to the members of the public.
- In appropriate circumstances, the Board may also resolve to disassociate the Board from any action or statement of a Trustee.

12. Guidelines for Gifts and Hospitality

- No Trustee shall accept a gift from any person, group, or entity that has dealings with the Board if a reasonable person might conclude that the gift could influence the Trustee when performing their duties to the Board unless,
 - i. the gift is of nominal value,
 - ii. the gift is given as an expression of courtesy or hospitality, and
 - iii. accepting the gift is reasonable in the circumstances.
- Trustees shall not use their position for improper gain or benefit, and shall not, under any circumstances, accept gifts or hospitality of more than \$100.00.

APPROVED: Regular Meeting of the Board

AUTHORIZED BY: _____
Chair of the Board