



York Catholic District School Board

Agenda

AD-HOC TRUSTEE CODE OF CONDUCT

Catholic Education Centre, DCR

Friday, May 5, 2023

1:30 pm

- | | | | |
|-----|-----------------------------------------------------------------------|------------|----|
| 1. | OPENING PRAYER, LAND ACKNOWLEDGEMENT | M. Iafrate | |
| 2. | ROLL CALL | D. Scuglia | |
| 3. | APPROVAL OF THE AGENDA | M. Iafrate | |
| 4. | APPROVAL OF PREVIOUS MINUTES: February 22, 2023 | M. Iafrate | 2 |
| 5. | BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETING: N/A | | |
| 6. | OUTSIDE PRESENTATIONS: N/A | | |
| 7. | ACTION ITEMS / DISCUSSION / INFORMATION: N/A | | |
| 10. | DISCUSSION / INFORMATION: | | |
| | a) Review of Policy 118 Trustee Code of Conduct and Procedures | | 3 |
| | b) Review of Procedure: Alleged Breach of the Trustee Code of Conduct | | 9 |
| | c) List of Integrity Commissioners | | 15 |
| 11. | FUTURE MEETING DATES | | |
| 12. | ADJOURNMENT | | |

Hail Mary, full of grace, the Lord is with thee;
blessed are thou among women,
and blessed is the fruit of thy womb, Jesus.
Holy Mary, Mother of God, pray for us sinners,
now and at the hour of our death.
Amen.

LAND ACKNOWLEDGEMENT

*We are gathered on the ancestral lands and waters of all Indigenous Peoples, who have left their footprints on Mother Earth before us.
We respectfully acknowledge, those who have walked on it, those who walk on it now, and future generations who have yet to walk upon it.
We pray to the Creator for strength and wisdom that all may continue to serve as stewards of the earth.*

MINUTES

AD-HOC TRUSTEE CODE OF CONDUCT

February 22, 2023

Trustee Committee Members:	F. Alexander, E. Crowe, M. Iafrate, T. McNicol
Other Trustees:	A. Saggese
Absent with Notice:	N/A
Administration:	D. Scuglia, Al Allegranza
Recording:	S. Greco
Presiding:	E. Crowe, Committee Chair

1. OPENING PRAYER (11:20 am)

2. ELECTIONS:

Chair: Elizabeth Crowe (nominated by F. Alexander)

Vice-Chair: Maria Iafrate (nominated by F. Alexander)

Post Meeting – Trustee Crowe stepped down from this Ad-Hoc Committee, and the Board of Trustees approved Michaela Barbieri as a Committee Member at the March 7th Special Board Meeting.

3. ROLL CALL: All present

4. APPROVAL OF AGENDA:

THAT the agenda be approved as presented.

MOTION: Iafrate/Alexander

CARRIED

6. APPROVAL OF THE PREVIOUS MINUTES: NIL

7. BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETING: NIL

8. PRESENTATION(S): NIL

9. ACTION ITEMS: NIL

10. DISCUSSION/INFORMATION ITEMS:

- a) **Review of the YCDSB Policy 118 Trustee Code of Conduct & Procedures**
- b) **Review of Ministry Legislation**
- c) **Samples from Various Boards, Policies & Procedures**

The Ad-Hoc Trustee Code of Conduct Committee asked staff to research names of Integrity Commissioners familiar with education. Is there a RFP process, how are they charged, how are they kept on retainer, and what is a reasonable amount of cost. How much does an investigation cost? Staff will research and contact OCSTA for procedures they recommend. C. Allegranza will create a flowchart using Peel DSB Procedures.

11. NOTICE OF MOTION: NIL

12. FUTURE AGENDA ITEM(S): NIL

13. NEXT MEETING DATE: TBD

14. ADJOURNMENT

THAT the Ad-Hoc Trustee Code of Conduct Committee be adjourned at 12.24 pm.

MOTION: Iafrate/Saggese

CARRIED



YORK CATHOLIC DISTRICT SCHOOL BOARD

BOARD POLICY	
<i>Policy Section</i>	Governance
<i>Policy Number</i>	118
<i>Former Policy Number</i>	
<i>Total Pages</i>	5
<i>Original Approved Date</i>	January 27, 2015
<i>Subsequent Approval Dates</i>	November 27, 2018

TRUSTEE CODE OF CONDUCT

1. PURPOSE

The York Catholic District School Board confirms that the role of Trustee is one where public trust and confidence is essential because Trustees are elected to represent all stakeholders in the Board. The York Catholic District School Board believes that personal commitment to high ethical standards is required by all individuals elected to the role of Trustee. This will ensure that the Board can responsibly fulfill its obligations and discharge its duties in a manner motivated by the spirit of the Gospel and modeled on the examples of Jesus Christ. Trustees of the York Catholic District School Board are expected to fulfill their duties and responsibilities consistent with Gospel Values, the teachings of the Catholic Church, the Board's By-Laws and the *Education Act*.

2. ~~POLICY STATEMENT~~ OBJECTIVE

~~It is the policy of the York Catholic District School Board that the~~ This policy has been established to ensure that the Board of Trustees, including Student Trustees will, at all times conduct themselves in a manner consistent with the Mission, Vision and Values of the York Catholic District School Board. Furthermore, Trustees commit themselves to ethical, professional, respectful and lawful conduct in the promotion of Gospel values and the provision of quality faith-based Catholic education for its students.

3. PARAMETERS

3.1 Trustees shall support a shared commitment to excellence in Catholic education that promotes the integration of our Catholic faith as well as the continuous improvement of student achievement and well-being through the delivery of effective and appropriate education programs, services and effective stewardship of the Board's resources and engagement of our communities.

3.1.1 Trustees shall demonstrate a public commitment to the York Catholic District School Board's Trustee Code of Ethics at each Inaugural Meeting of the Board.

3.2 CATHOLIC FAITH, COMMUNITY AND CULTURE

Trustees acknowledge that Catholic schools are an expression of the teaching mission of the Church and shall, within the duties prescribed in the *Education Act* and its Regulations:

- 3.2.1 Provide an example to the Catholic Community that reflects the teaching of the Church;
- 3.2.2 Ensure the Board provides the best possible Catholic education according to the programs approved by the Canadian Conference of Catholic Bishops and the Provincial Minister of Education;
- 3.2.3 Recognize and rigorously defend the constitutional right of Catholic education and the democratic and corporate authority of the Board;
- 3.2.4 Respect the confidentiality of the Board;
- 3.2.5 Ensure the affairs of the Board are conducted with openness, justice and compassion;
- 3.2.6 Work to improve personal knowledge of current Catholic educational research and practices;
- 3.2.7 Affirm a strong sense of Christian Catholic Community; and,
- 3.2.8 Provide support, encouragement and prayer for the efforts of all persons engaged in the ministry of Catholic Education.

3.3 RESPECT, CIVILITY AND COMMUNICATION

Trustees share in the responsibility of creating a positive working and learning environment that is safe, harmonious, comfortable, inclusive and respectful. Trustees shall:

- 3.3.1 Respect and comply with all applicable federal, provincial and municipal laws;
- 3.3.2 Uphold and abide by all Board policies, procedures, protocols and the York Catholic District School Board Trustee Code of Ethics (Appendix "A");
- 3.3.3 Demonstrate honesty and integrity;
- 3.3.4 Treat others fairly and with dignity and respect at all times, especially when there is disagreement;
- 3.3.5 Employ appropriate language and professionalism in performing their duties as Trustees, and in all matters of communication (oral and written) including email, social media, telephone and ~~face-to-face~~ **in person** meetings with staff, parents, other stakeholders and members of the community at large.

3.4 COMPLYING WITH LEGISLATION

Trustees shall comply with all Federal and Provincial legislation and any contractual obligations of the Board in conducting the business of the Board. Trustees shall:

- 3.4.1 Familiarize themselves and comply with the duties of Board members as set out in Section 218.1 of the *Education Act* including any applicable regulations.
- 3.4.2 Familiarize themselves with duties and/or requirements applicable to them in the *Municipal Freedom of Information and Protection of Privacy Act*, the *Municipal Conflict of Interest Act*, and YCDSB by-laws and policies.

3.5 CONFIDENTIALITY

Trustees acknowledge that as part of their duties they may be privy to private, confidential and/or legally privileged financial, business and/or commercial information. Such information may include, but is not limited to, information relating to the Board's organizational structure, operations, business plans, technical projects, business costs, research data, inventions, trade secrets or other work produced,

developed by or for the Board, confidential student and personnel information, legal matters and opinions.

- 3.5.1 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, form, or other entity, the Board's proprietary or confidential information disclosed or entrusted to that Trustee. 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*.
- 3.5.2 The confidentiality of personal information received in the course of duties shall be respected and protected. Trustees shall keep all information received, including but not limited to, in-camera discussions and actions in complete confidence. Information received shall not be discussed in public where another person not privy to the information could accidentally overhear or read such information.
- 3.5.3 A Trustee's duty of confidentiality survives their term of office.

3.6 ENFORCEMENT

- 3.6.1 Trustees will at all times conduct themselves in a manner consistent with the Code of Conduct outlined in this policy.
- 3.6.2 Only a Trustee can allege that the Board's Code of Conduct has been breached by another Trustee.
- 3.6.3 Trustees may, in some circumstances, want to respond to inappropriate statements or behavior at a meeting at which the inappropriate conduct takes place. Roberts Rules of Order may assist as Trustees can call for a point of order. The Chair of the Meeting may also call a recess, or caution a Trustee or Trustees about conduct which is contrary to the expectations outlined in the Trustee Code of Conduct.
- 3.6.4 If a Trustee also, or instead, wishes to preserve ~~his or her~~ **their** right to subsequently make a complaint in accordance with the Procedures, it may be appropriate to ask the Secretary of the Board to note a particular comment or action in the minutes, or to give the Trustee notice at the meeting that a formal complaint will be forthcoming, noting the conduct and/or comments which are believed to be a breach of the Trustee Code of Conduct.
- 3.6.5 A complaint of Trustee conduct that is contrary to this policy shall be addressed in a timely manner according to the Procedure: ~~Disposition of Complaints against a Trustee~~ **Alleged Breach of the Trustee Code of Conduct**, an addendum to this Policy.
- 3.6.6 If the complaint, including any supporting documentation, is not, on its face, a contravention of the Board's Code of Conduct, or more applicable to other legislation, then the complainant shall be informed in writing. The following matters shall not be dealt with through the Procedure: ~~Disposition of Complaints against a Trustee~~ **Alleged Breach of the Trustee Code of Conduct**:
 - 3.6.6.1 Criminal matters
 - 3.6.6.2 *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA): the complainant will be referred to the Board's Privacy

- Manager if appropriate.
- 3.6.6.3 *Municipal Conflict of Interest Act.*
- 3.6.6.4 Outstanding complaints under another process such as civil litigations or a matter at the Human Rights Tribunal, in which case timelines outlined within the procedure will be suspended pending the outcome of the other proceeding.
- 3.6.7 The Board of Trustees does not have the authority to impose sanctions other than those specifically defined by the *Education Act*.
- 3.6.8 In accordance with the *Human Rights Code* and the *Trustee Code of Ethics*, every Trustee of the York Catholic District School Board in discharging their duties to the Board shall ensure the right to equal treatment of every person including but not limited to, fellow Trustees, members of the public and staff without discrimination and harassment.
- 3.6.8.1 Provision 3.6.8 applies to all forms of written and oral communication, including via social media platforms.

4. RESPONSIBILITIES

4.1 Board of Trustees

- 4.1.1 To oversee the compliance with the Trustee Code of Conduct Policy.

4.2 Student Trustee

- 4.2.1 To abide by the parameters of this policy in the fulfillment of their elected duties.

4.3 Trustee

- 4.3.1 To make the declaration and oath of office prior to commencing his/her role as Trustee.

5. DEFINITIONS

5.1 Conflict of Interest

All Trustees must abide by the rules and regulations defined within the *Municipal Conflict of Interest Act*. It is solely the personal responsibility of the individual Trustee to make any declaration of a conflict.

5.2 Student Trustee

A full-time student enrolled in the senior division of a school of the board elected by the students of the board.

5.3 Trustee

A person elected or acclaimed to the office of trustee of the Board pursuant to the provisions of the *Municipal Elections Act* or appointed to the office of trustee pursuant to the provisions of the *Education Act*.

6. CROSS REFERENCES

Legislation

[YCDSB Policy 423 Conflict of Interest for Employees](#)

[YCDSB Procedure Alleged Breach of the Trustee Code of Conduct](#)

Legislation

[Education Act](#)

[Municipal Conflict of Interest Act](#)

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

[Ontario Regulation 7/07 Student Trustee](#)

DRAFT

TRUSTEE CODE OF ETHICS

Preamble:

The Trustees of the York Catholic District School Board believe that personal commitment to high ethical standards is required to ensure that the board can responsibly fulfill its obligations and discharge its duties in a manner motivated by the spirit of the Gospel and modeled on the examples of Jesus Christ. Board members recognize that Trustees occupy positions of public trust and confidence and are dedicated to serving the community in a professional, impartial and Catholic manner.

Accordingly, as a Catholic School Trustee:

- ☐ I will strive to serve my local electorate while maintaining a system-wide perspective that upholds the principles of equity and fairness.
- ☐ I will accept that authority rests with the board and that I have no individual authority outside of the board. I will abide by the majority decisions of the board once they are made, but shall be free to explain the position that I upheld when the decision was made provided it does not undermine the authority of the board.
- ☐ I will strive to develop and implement Board policies that are equitable and consistent with the YCDSB Mission, Vision and Core Values.
- ☐ I will act with integrity and work to ensure that all business of the board is conducted with openness, fiscal accountability and compassion.
- ☐ I will accept my obligation to attend and prepare for all board and assigned committee meetings. I will work with other board members and staff in a spirit of respect, collaboration and proper decorum in spite of any differences of opinion that arise during debate.
- ☐ I will respect and nurture the human and divine nature of each individual without judgment or reproach and will strive to reflect Gospel values in all that I say and do.
- ☐ I will not discuss confidential information obtained in my capacity as a board member. I will not discuss those matters outside the meetings of the board or the board's committees. I will not use privileged information for either personal gain or to the detriment of the board.
- ☐ I will report to the Board alleged breaches, frauds, improprieties and/or conflicts which come to my attention.
- ☐ I will accept my responsibility for understanding legislation pertaining to the *Municipal Conflict of Interest Act*. I will not use my position for personal advantage or to the advantage of any other party not representing the total interest of the YCDSB. I will resist outside pressure to make such use of my position.
- ☐ I will endeavour to participate in professional development opportunities which enrich my faith life and/or enhance my ability to serve our Catholic school communities.
- ☐ I will treat fellow Trustees, members of the public, and staff with dignity and respect to ensure a safe and equitable work environment free from abuse, bullying, intimidation, discrimination and harassment.



YORK CATHOLIC DISTRICT SCHOOL BOARD

PROCEDURE: ALLEGED BREACH OF THE TRUSTEE CODE OF CONDUCT

Addendum to Policy 118: Trustee Code of Conduct

Effective: November 2018

ALLEGED BREACH OF THE TRUSTEE CODE OF CONDUCT: PROCEDURE AND ENFORCEMENT

PURPOSE

The *Alleged Breach of the Trustee Code of Conduct* procedure is designed in conjunction with YCDSB Policy 118 *Trustee Code of Conduct* and outlines the complaint resolution process that is to apply to any alleged breach of the Code of Conduct.

All participants in an investigation of an alleged breach of the code of conduct, including trustees who make a report, witnesses, and the trustee alleged to be responsible for the breach, shall keep the details and results of the investigation confidential, and shall not discuss the matter with anyone other than those conducting the investigation.

The Board may wish to seek legal advice as to whether the particular proceedings or part of the proceedings can be held in the absence of the public.

A. ALLEGATION OF A BREACH OF THE TRUSTEE CODE OF CONDUCT

In the spirit of collegiality, the Board of Trustees, including Student Trustees, strongly encourages Trustees to resolve any conflict between Trustees by engaging in open, respectful dialogue. When a Trustee feels that another Trustee may have breached the Code of Conduct, it is hoped that the Trustees will meet to discuss the concern thereby possibly resolving the situation. It is recognized that in certain circumstances the Trustee alleging the breach may not be comfortable approaching the other Trustee and instead will initiate the Informal Complaint Procedure without notifying the Trustee that is alleged to have breached the Code of Conduct.

It is recognized that from time to time a contravention of the Code of Conduct may occur that is committed through inadvertence or an error of judgement made in good faith. In the spirit of collegiality and in the best interests of the board, the purpose of notifying a Trustee of an alleged breach of the Code of Conduct is to assist the Trustee in understanding their obligations under the Code of Conduct. Only serious and/or reoccurring breaches by a Trustee should be investigated following the Formal Complaint Procedure.

A Trustee who has reasonable grounds to believe that another Trustee of the Board has breached the Board's Code of Conduct may bring the alleged breach to the attention of the Chair of the Board no more than fifteen (15) calendar days after the alleged breach comes to the attention of the Trustee reporting the alleged breach.

In the case of an allegation of a breach of the Code of Conduct by the Chair of the Board, this process shall be modified to read Vice-Chair of the Board.

INFORMAL COMPLAINT PROCEDURE

The Chair of the Board shall meet informally with a Trustee who is alleged to have breached the Code of Conduct to discuss the alleged breach. This meeting will occur as soon as possible after the alleged breach has been brought to the attention of the Chair. The purpose of the meeting is to bring the allegation of the breach to the attention of the Trustee and to discuss measures to resolve the concern.

The Chair will facilitate a meeting between the two Trustees so as to discuss remedial measures to resolve the concern. The Chair may invite the Vice-Chair to attend the meeting. The intent of this process is to address alleged breaches in a timely manner and meetings shall occur at mutually convenient times. If at all possible the timeline from receiving an allegation of a breach to the face to face meeting shall be less than fifteen (15) calendar days.

If the Trustee bringing the allegations of a breach of the Code of Conduct is not satisfied with the outcome of the Informal Process, they have ten (10) calendar days after the date of the face to face meeting to initiate the Formal Complaint Procedure.

FORMAL COMPLAINT PROCEDURE

A Trustee initiates the Formal Complaint Procedure by providing to the Chair of the Board a written, signed complaint that includes the following:

- i) The name of the Trustee who is alleged to have breached the Code of Conduct.
- ii) The alleged breach of the Code of Conduct.
- iii) Information as to when the alleged breach occurred and when it came to the attention of the Trustee making the allegation.
- iv) The grounds for the belief by the Trustee that a breach has occurred.
- v) The names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

The Trustee who files the Formal Complaint always has the right to withdraw the complaint or to return to the Informal Complaint Procedure at any point in the process.

The Chair of the Board shall provide a copy of the written complaint to the Trustee who is alleged to have breached the Code of Conduct within five (5) calendar days. The Trustee who is alleged to have breached the code of Conduct shall have ten (10) calendar days to review the complaint before it is forwarded to the entire Board of Trustees. The Trustee who is alleged to have breached the Code of Conduct may choose to ask the Chair of the Board if the Trustee making the allegation wishes to return to the Informal Complaint Procedure. The decision to return to the Informal Complaint Procedure rests solely with the Trustee making the allegation. At no time will this request to return to the Informal Complaint Procedure be used as a delay tactic.

Within fifteen (15) calendar days of receiving a formal written complaint, the Chair of the Board shall provide to all Trustees a confidential copy of the complaint. If necessary, a Special Committee of the Whole meeting shall be convened to decide, by resolution, whether or not the complaint merits investigation. The Board may decide that the complaint is out of time, trivial, frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for a formal inquiry and such, an inquiry shall not be conducted. The resolution shall be by recorded vote with no discussion and/or debate. If the Board decides that an inquiry is not warranted, then a confidential letter stating the reasons for not doing so shall be provided to both Trustees within five (5) calendar days of the meeting.

If the Board chooses to proceed with a formal inquiry, then the Trustee making the allegation and the Trustee that is alleged to have breached the Code of Conduct will be notified in writing within five (5) calendar days of the decision.

B. FORMAL INQUIRY AND DECISION BY BOARD

The formal inquiry of an allegation of a breach of the Code of Conduct shall be conducted by an independent third party and shall be completed in a timely manner, preferably less than one (1) month after the special Board meeting decision to launch the formal inquiry.

The following shall guide the inquiry:

- i) The *Statutory Powers Procedures Act* does not apply, i.e. no formal trial-type hearing shall occur.
- ii) Procedural fairness and the rules of natural justice shall govern the formal inquiry and all matters shall be conducted in private.
- iii) The formal inquiry may involve written statements by those involved as well as written statements made by any witnesses.
- iv) The parties involved shall have an opportunity to review the draft report of the investigator to make sure there are no errors of fact. The parties shall have ten (10) calendar days from the receipt of the

- final draft to make final submissions in writing.
- v) If the Trustee who is alleged to have breached the Code of Conduct refuses to participate in the formal inquiry, the formal inquiry will continue in their absence.
 - vi) The final report shall outline the finding of facts but not contain a recommendation or opinion as to whether or not the Code of Conduct has been breached.
 - vii) If the investigator discovers that the subject matter of the formal inquiry is being investigated by police, that a charge has been laid, or is being dealt with in accordance with a procedure established under another Act, the formal inquiry shall be suspended until the police investigation, charge, or matter under another Act has been finally disposed. This reason for the suspension shall be reported to the Board of Trustees.

The final report shall be delivered to the Board of Trustees and the Board will make the decision as to whether or not the Code of Conduct has been breached and the sanction assigned. Trustees shall consider only the findings in the final report when voting on the decision and sanction. No Trustee shall undertake their own investigation in the matter.

If the Board of Trustees determines that there has been no breach or that the contravention occurred but that the Trustee took all reasonable measures to prevent the alleged breach or that the contravention that occurred was trivial or committed through inadvertence or an error of judgement made in good faith, then no sanction shall be imposed.

The determination of a breach of the Code of Conduct and the imposition of a sanction must be conducted by resolution of the Board in a public session. The resolution **shall** be recorded, by way of a recorded vote, in the minutes of the meeting. Both the determination of a breach and the decision on sanction shall require a vote of a simple majority (50% + 1) of the Trustees present and eligible to vote. The Trustee alleged to have breached the Code of Conduct shall not participate in the voting.

Section 207(2) of the *Education Act* specifies that consideration of an alleged breach of the Trustee Code of Conduct policy must be at a meeting open to the public, unless the alleged breach involves one of the matters listed in section 207(1) outlined below.

Where the proceedings must be held at a public meeting of the Board, the Trustee alleged to have breached the Code of Conduct is entitled to attend the public meeting, but not participate in the discussion, or attempt to influence the outcome, or vote.

Despite s. 207(1) of the *Education Act*, the part of the meeting during which the alleged breach is considered may be closed to the public when the alleged breach involves any matters described below, 207(2):

- i) The security of the property of the board.
- ii) The disclosure of intimate, personal, or financial information in respect of a member of the board or committee, an employee or prospective employee, or a pupil or his parent/guardian.
- iii) The acquisition or disposal of a school site.
- iv) Decisions in respect of negotiations with employees of the board.
- v) Litigation affecting the board.

C. LEGAL EXPENSES

In circumstances where a legal or procedural issue arises in the course of a complaint, a Trustee may find it necessary to retain legal counsel.

The Board may, at its discretion, approve for reimbursement in whole or in part such legal costs.

D. SANCTIONS

If the Board determines that a Trustee has breached the Board's Code of Conduct, the board may impose one or more of the following sanctions as per the *Education Act* **Section 218.3**:

- i) Censure of the Trustee.
- ii) Barring the Trustee from attending all or part of a meeting of the Board and/or a meeting of a committee of the Board.
- iii) Barring the Trustee from sitting on and/or attending one or more committees of the Board for a period of time specified by the Board.

The Board of Trustees do not have the authority to impose sanctions other than those specifically defined by the *Act*.

The Board shall not impose a sanction which is more onerous than the above but may impose one that is less onerous, such as a warning, a formal apology in writing, or a requirement that the Trustee successfully complete specified professional development courses at the expense of the board.

A Trustee who is alleged to have breached the Board's Code of Conduct shall not vote on a resolution to determine the breach, or to impose a sanction, or to reconsider either finding [*Education Act*, s. 218.3(12)]. The Trustee who made the allegation of a breach is entitled to vote on any resolution disposing of the complaint.

A Trustee who is barred from attending all or part of a meeting is not entitled to receive any materials that relate to that meeting that are not available to members of the public.

The Board has no power to declare the Trustee's seat vacant for a breach of Code of Conduct. The imposition of a sanction barring a Trustee from attending a Board meeting shall be deemed to be authorization for the Trustee to be absent from the meeting and therefore not in violation of the *Education Act* regarding absences from meetings.

D. NOTIFICATION AND RECONSIDERATION OF DECISION BY BOARD

If the board determines that a Trustee has breached the Board's Code of Conduct, the Board shall:

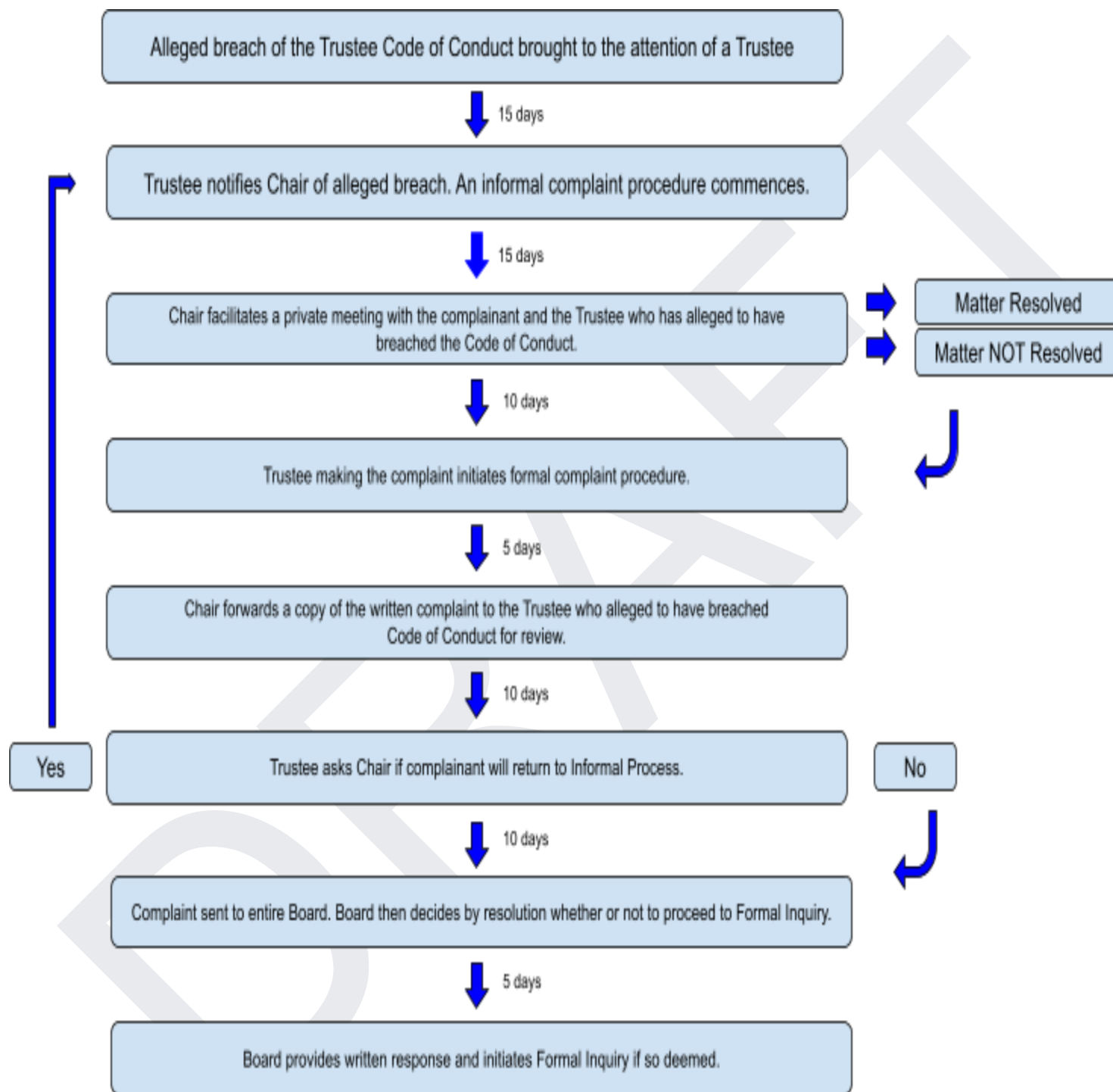
- i) Give the Trustee written notice of the determination, the reasons for the decision, and any sanctions imposed by the Board.
- ii) Inform the Trustee that they may make a written submission to the Board in respect of the determination or sanction by the date specified in the notice that is at least fifteen (15) calendar days after the notice is received by the Trustee.
- iii) Consider any submissions made by the Trustee and shall confirm by resolution, vary or revoke the determination or sanction within fifteen (15) calendar days of receiving the submission from the Trustee.

If necessary a Special Board meeting will be held to meet the above deadlines, unless there is agreement from the Trustee to extend the timeline to deal with the matter at a regularly scheduled meeting.

The Board's decision to confirm, vary, or revoke a determination of a breach of the Code of Conduct and the imposition of a sanction must be conducted by resolution of the Board in a public session. The resolution shall be recorded in the minutes of the meeting together with the reasons for confirming, varying, or revoking the previous determination or the imposition of a sanction. The decision shall require a vote of a simple majority (50% + 1) of the Trustees present. The Trustee requesting the reconsideration shall not participate in the voting.

The Board shall provide to the Trustee requesting the reconsideration written notice and reasons for the decision to confirm, vary or revoke the earlier determination of a breach of the Code of Conduct.

The imposition of any sanction(s) shall be stayed pending notification of the Board's final decision.





YCDSB INTEGRITY COMMISSIONER

BOARDS	INTEGRITY COMMISSIONER	COST	DUTIES OF INTEGRITY COMMISSIONER
TDSB & DDSB	<p>ADR Chambers Inc. (Mediators and Arbitrators) Michael Maynard</p> <p>Associate Investigator</p>	<p>\$350 per hour</p> <p>\$275 per hour</p>	<p>Advisory Role</p> <ul style="list-style-type: none"> Provides confidential written and oral advice to individual Trustees in respect to situations they face in their official duties, relative to their obligations under the Trustee Code of Conduct, other by-laws and policies governing their ethical behaviour. <p>Investigative Role</p> <ul style="list-style-type: none"> An individual who has a concern about a potential breach(es) of the Code of Conduct can forward a written informal/formal complaint to the Integrity Commissioner. In the formal process the Integrity Commissioner can summon evidence and examine witnesses under oath. If the integrity Commissioner finds that the Trustee contravened the Code of Conduct, the Integrity Commissioner will recommend various penalties to the Board. <p>Educational Role</p> <ul style="list-style-type: none"> The Integrity Commissioner provides educational programs to Trustees, which include Board Trustee training sessions, one-on-one meetings, annual reporting and posting directives, guidelines, and best practices on the school board's webpage.
TCDSB	<p>Aird & Berlis LLP John Mascarin (Administrative and advisement) Meghan Cowan (Code of Conduct Complaints)</p>	<p>\$825 per hour</p> <p>\$595 per hour</p>	<p>Advisory Role</p> <ul style="list-style-type: none"> Provides confidential advice to Trustees as to their ethical obligations and will respond to requests for written advice within 24-48 hours. <p>Investigative Role</p> <ul style="list-style-type: none"> Enforcement of the Code of Conduct Provides fair assessments of breach(es) and report to the Board or

			<p>Council as appropriate/required.</p> <ul style="list-style-type: none"> • If contravention is found, the report will include recommendations as to penalties or remedial measures. • Resolve issues pertaining to summary dismissals. <p>Educational Role</p> <ul style="list-style-type: none"> • Provide education and training to Trustees as to what may be involved in any investigations of formal code of conduct complaints. <p>Policy Review</p> <ul style="list-style-type: none"> • Will advise the school board on their trustee Codes of Conduct and procedures for formal complaints and ensure their ethical frameworks are up-to-date, useful and functional.
YRDSB & OCDSB	Suzanne Craig (Interim Basis)	\$375.00 per hour (Mediation of Informal/Formal Complaints, Written Advice)	<p>Advisory Role</p> <ul style="list-style-type: none"> • Provides dispute resolution for Code of Conduct Complaints <p>Investigative Role</p> <ul style="list-style-type: none"> • Complaint Investigation for Municipal Governments under Codes of Conduct • Conducts Investigations for publicly regulated institutions; self governing bodies and statutory corporations. <p>Educational Role</p> <ul style="list-style-type: none"> • Provides education and training for elected and appointed officials on the application of ethical infrastructure, conflict of interest and creating a culture of integrity. • Provides custom-designed conflict on interest training sessions for municipal councils, commissions and boards. <p>Policy Review</p> <ul style="list-style-type: none"> • Provide advice on policy and design of ethical infrastructure, Codes of Conduct and Protocol.