CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO
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**BOARD ADMINISTRATIVE PROCEDURE**

ADMINISTRATIVE PROCEDURE

# 106 Trustee Code of Conduct

DIRECTIONAL POLICY

## 100 Governance, Vision, and Strategic Priorities

**Title of Administrative Procedure:**

Trustee Code of Conduct

**Date Approved:**

November 2025

**Projected Review Date:**

November 2030

**Directional Policy Alignment:**

This Administrative Procedure aligns with the Governance, Vision, and Strategic Priorities Directional Policy and supports Trustees in their roles of public service.

**Alignment with Multi-Year Strategic Plan:**

The Trustee Code of Conduct Administrative Procedure supports the Multi-Year Strategic Plan, built upon four key priorities: **To Belong, To Believe, To Nurture, To Learn**. It specifically supports the priority **To Believe**, by ensuring that Trustee Code of Conduct reflects Catholic values rooted in the love of Christ.

CDSBEO Strategic Plan 2025-2030

## Purpose

- A Catholic Trustee holds a particular trust for the students, staff, and families served by the board. As such, all Catholic Trustees are held to a particular account, one that is held in the teachings of Jesus and enacted in the common good.
- A Catholic Trustee position is an elected position which carries with it the understanding that the electorate will decide at election time its support for the effectiveness of a Catholic Trustee. At the same time, it is important to recognize the public trust and responsibility the collective body carries and that this trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour.
- A code of conduct policy contributes to confidence in public education and respect

for the integrity of Catholic Trustees in the community. It deals with acceptable and respectful behaviours.

## Action Required

*Integrity and Dignity of Office*

Catholic Trustees of the Board shall discharge their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the Board.

When acting or holding themselves out as Catholic Trustees of the Board, a Catholic Trustee shall conduct themselves in a manner that would not discredit or compromise the integrity of the board.

When acting or holding themselves out as a Catholic Trustee, the Catholic Trustee 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.

Catholic Trustees of the Board shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interests of the students.

Catholic Trustees, as leaders of the Board, must uphold the dignity of the office and conduct themselves in a professional manner, especially when attending Board events, or while on Board property.

Catholic Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging regarding Board staff or fellow Board members.

Catholic Trustees shall endeavour to participate in trustee development opportunities to enhance their ability to fulfill their obligations.

*Avoidance of Personal Advantage and Conflict of Interest*

No Catholic 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 Catholic Trustee when performing their duties to the Board, unless

1. the gift is of nominal value,

2. the gift is given as an expression of courtesy or hospitality, and

3. accepting the gift is reasonable in the circumstances.

A Catholic Trustee shall not use his or her office to advance the Catholic Trustee's interests or the interests of the Catholic Trustee's parent, spouse, or child.

No Catholic Trustee shall use his or her office to obtain employment with the Board for the Catholic Trustee or the Catholic Trustee's parent, spouse, or child.

No Catholic Trustee shall use or permit the use of board resources for any purposes other than the business of the Board.

*Respect, Civility and Communication*

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

- Respect and comply with all applicable federal, provincial, and municipal laws;
- Uphold and abide by all Board policies, procedures, and protocols;
- Demonstrate honesty and integrity;
- Treat others fairly and with dignity and respect always, especially when there is disagreement;
- Employ appropriate language and professionalism in performing their duties as Catholic Trustees, and in all matters of communication (oral and written) including email, social media, telephone and face-to-face meetings with staff, parents, other stakeholders, and members of the community at large.

*Complying with Legislation*

Catholic 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:

- Comply with this Code of Conduct and uphold the spirit of the Code.
- 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, specifically Regulation 312/24.
- 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 the Catholic District School Board of Eastern Ontario by-laws and policies.

*Confidentiality*

No Catholic Trustee shall disclose confidential information obtained or made available to them in their role as a Catholic Trustee except as authorized by law or the Board. Confidential information includes personal information about an identifiable individual or information subject to solicitor-client privilege.

No Catholic Trustee shall use confidential information, including confidential information obtained by them or made available to them in their role as a Catholic Trustee for the purpose of personal gain or for the gain of the Catholic 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.

Catholic 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.

Except as required by law, all Catholic Trustees agree not to use, directly or indirectly, for the Catholic 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 Catholic Trustee. Catholic 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.

The confidentiality of personal information received in the course of duties shall be respected and protected. Catholic 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.

*Upholding Decisions of the Board*

All Catholic Trustees of the Board shall accept that authority rests with the Board, and that a Catholic Trustee has no individual authority other than that delegated by the Board.

Each Catholic Trustee shall comply with Board policies, procedures, by-laws, and rules of order.

Each Catholic Trustee shall uphold the implementation of any Board resolution after it is passed by the Board. A proper motion for reconsideration or rescission, if permitted by the Board's Rules of Order, can be brought by a Catholic Trustee.

A Catholic Trustee should be able to explain the rationale for a resolution passed by the Board. A Catholic Trustee may respectfully state his or her position on a resolution provided it does not in any way undermine the implementation of the resolution.

The Chair of the Board is the spokesperson to the public on behalf of the Board, unless otherwise determined by the Board. No other Catholic Trustee shall act as spokesperson to the public on behalf of the Board unless authorized by the Board. When individual Catholic Trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the Board.

*Enforcement of the Code of Conduct*

Catholic Trustees shall always conduct themselves in a manner consistent with the Code of Conduct outlined in this policy.

Only a Catholic Trustee can allege that the Board's Code of Conduct has been breached by another Catholic Trustee.

No Catholic Trustee shall give notice of an alleged breach of the code of conduct if the allegation is frivolous or vexatious or the notice is given in bad faith.

No Catholic Trustee shall engage in reprisal or the threat of reprisal against another trustee who gave notice of an alleged breach of the code of conduct or who provides information about an alleged breach to the Integrity Commissioner.

Catholic 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 Catholic Trustees can call for a point of order. The Chair of the Meeting may also call a recess or caution a Catholic Trustee or Catholic Trustees about conduct which is contrary to the expectations outlined in the Trustee Code of Conduct.

If the complaint is still not resolved with a point of order process, an Informal Complaint Procedure is recommended and encouraged as a first step when investigating an alleged breach of the code of conduct. For this reason, the formal complaint procedure should be reserved for only egregious and repetitive behaviours that disrupt the ability of a board of trustees to conduct its business.

*Informal Complaint Procedure*

Out of our shared commitment to nurture Catholic Christian community and in the spirit of collegiality, the purpose of alerting a trustee to a breach of the code is to assist the trustee in understanding their obligations under the code. An initial goal should always be to find a good

resolution to the issue that caused one member of the board to complain about the conduct of another.

This Informal Complaint Procedure is an opportunity for members to work together collaboratively as it is recognized that from time to time a contravention of the code may occur that is trivial, or committed through inadvertence, or an error of judgment made in good faith.

The chair of the board, on their own initiative, or at the request of a Catholic trustee of the board (without the necessity of providing a formal written complaint) who alleges a breach of the code has occurred, may meet informally with a trustee of the board who is alleged to have breached the code, to discuss the alleged breach. This process should occur as soon as possible after the alleged breach has been shared.

The purpose of the meeting is to bring the allegation of the breach to the attention of the trustee, gather information from both parties and to discuss remedial measures to correct the offending behaviour.

At the discretion of the chair, they may include the vice-chair of the board, or another trustee of the board in the meeting. If the allegation of a breach of the code involves the chair of the board, the vice-chair of the board may carry out the duties. At the vice-chair's discretion, they may include another trustee of the board to attend the above meeting. The chair (or alternative) should keep the Director of Education informed of the alleged breach.

The Trustees involved are encouraged to discuss ways to resolve the matter. If necessary remedial measures may include:

- a warning
- an apology
- and/or the requirement of the trustee to engage in the successful completion of professional development training such as that offered by the Ontario Education Services Corporation (OESC) Trustee Professional Development Program.

The Informal Complaint Procedure is conducted in private.

If a resolution of the informal complaint cannot be achieved, a Formal Complaint Procedure may be commenced. Only serious and/or reoccurring breaches of the code by a trustee should be investigated following the Formal Complaint Procedure.

The Chair of the board will inform the board that an informal complaint procedure took place, and a resolution was made, or a formal complaint procedure will begin should a resolution not be made.

*Formal Complaint Procedure*

A formal complaint of Catholic Trustee conduct that is contrary to this policy shall be addressed in a timely manner according to the Procedures of the board consistent with section 218.3 of the Education Act and Ontario Regulation 306/24 Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct.

Notification of Alleged Breach:

A Trustee who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct may notify the following persons in writing of the alleged breach:

a. the Chair of the Board; or
b. the Vice-Chair of the Board, if the notice is related to the conduct of the Chair; or
c. another Trustee of the Board, who is neither the complainant nor the subject of the complaint, if the notice relates to both the conduct of the Chair and the Vice-Chair.

8. The Trustee who gives notice of an alleged breach of the Board's Code of Conduct shall provide a copy of the notification to the Director of Education of the Board.

9. The person to whom the notification was made (Chair, Vice-Chair, or another Trustee, as the case maybe) shall **immediately provide** a copy of the written notice to the Trustee whose conduct is the subject of the alleged breach and the entire Board of Trustees. **This notice shall not be public or published** until published by the Board in accordance with the Records and Information section below.

10. No Trustee shall give notice of an alleged breach of the Code if the allegation is frivolous or vexatious or the notice is given in bad faith.

11. No trustees shall engage in reprisal or the threat of reprisal against:
a. a trustee who gave notice of an alleged breach of the code; or
b. any person who provides information about the alleged breach to the person appointed by the board to investigate the breach.

12. The Statutory Powers Procedure Act does not apply to anything done regarding the enforcement of the Code as particularized in s. 218.3.2(13) of the Education Act

- A Catholic Trustee who has reasonable grounds to believe that a Catholic Trustee of the Board has breached the Board's Code of Conduct shall bring the alleged breach to the attention of the Board. This is done through the Chair of the Board or the Vice Chair if the notice is related to the conduct of the Chair. If both are the subject of the notice, then the notice should go to another member of the Board;
- A copy of the notice shall also go to the Director of Education;
- The notice of the alleged breach shall include the following:
- Name and contact information of the trustee alleging the breach;
- The name and contact information of trustee whose conduct is the subject of the notice;
- The date the alleged breach;
- Description of the alleged breach;
- The provision of the code of conduct that was allegedly breached.
- Within 20 days, the complaint may be resolved internally by the Chair, as a first step in the process. The Chair shall explore various strategies/avenues to facilitate resolution, in keeping with the legislation.

If the alleged breach cannot be settled by the Board within 20 business days, it must be referred to the Integrity Commissioner. If the matter is resolved to the satisfaction of the trustee alleging the breach, the trustee is to withdraw the Notice of Alleged Breach.

*Appointment of Integrity Commissioner*

The appointment of an Integrity Commissioner by the Board is hereby delegated to the Trustee (Chair, Vice-Chair or other Trustee, as the case may be) in consultation with the Director of Education.

If the complaint is not resolved as described above (under Resolution of Notice of Breach), the Trustee (Chair, Vice-Chair or other Trustee) to whom the notification of the breach was given shall refer the complaint to the Integrity Commissioner appointed and paid for by the Board.

Review the roster of Integrity Commissioners that has been created by the Minister of Education. The appointment of an Integrity Commissioner shall be from the roster of Integrity Commissioners.

The preference of the board would be to select an Integrity Commissioner with the following criteria:

(a) has a total of at least three years experience working as an integrity commissioner, a judicial or quasi-judicial adjudicator, an investigator or in a similar role in a legal context;

(b) in working in the role or roles mentioned in clause (a), the person applied professional ethics rules and the principles of natural justice and fairness; and

(c) the person demonstrates understanding of the rights set out in section 23 of the *Canadian Charter of Rights and Freedoms* and section 93 of the *Constitution Act, 1867*.

(d) is an English-language Roman Catholic board supporter.

1. Once the matter is referred to the Integrity Commissioner, they have authority under section 218. 3 (7) of the Education Act to determine the scope of the investigation into the alleged breach.
2. The Integrity Commissioner, appointed by a board shall commence an investigation into the alleged breach of the board's code of conduct no later than 14 days after being appointed and shall provide the trustee with the opportunity to respond to the allegations, as well as a right of reply, where appropriate.
3. The Integrity Commissioner shall make a determination with respect to a complaint of an alleged breach no later than 90 days after commencing the investigation, unless the Integrity Commissioner notifies the board and the member who is the subject of the complaint that an extension is necessary and of the reasons for the extension.

*Potential Sanctions of the Integrity Commissioner may impose:*

1. Censure of the member.
2. Requiring the board to reduce the member's honorarium by a maximum of 25% of a trustee's base and enrollment amount for the year [under O. Reg 357/06 to be amended] requiring the member to return any excess already paid to the member and authorizing the board to recover the excess from the member.
3. Barring the member from attending all or part of one or more meetings of the board or one or more meetings of a committee of the board, for the period of time specified by the integrity commissioner up to a maximum of 90 days or the balance of the member's term of office, whichever is less.
4. Barring the member from sitting on one or more committees of the board, for the period of time specified by the integrity commissioner, up to a maximum of 90 days or the balance of the member's term of office, whichever is less.
5. Barring the member from becoming the chair or vice-chair of the board or of any committee of the board or removing the member from any of those positions.
6. Barring the member from exercising the privileges of a board member or acting as a board representative or removing the member from a position the member holds as a board representative.
7. Subject to any other limits set out in paragraphs 1 to 6, any other sanction that, in the opinion of the integrity commissioner, is reasonable and appropriate in the circumstances.
8. Subject to any other limits set out in paragraphs 1 to 6, any other sanction that, in the opinion of the integrity commissioner, would promote compliance with the board's code of conduct.

*Appeal Process:*

- Either the board or the member whose conduct was the subject of the Integrity Commissioner's determination may appeal the determination, the sanctions imposed,

or both, and the board and the Catholic Trustee are the parties to such an appeal.

- The member whose conduct was the subject of the Integrity Commissioner's determination shall not vote on a board resolution to determine whether the board will appeal that determination.
- The board or the member who appeals the Integrity Commissioner's determination shall give written notice of the appeal to the other party and the Deputy Minister no later than 15 business days after receiving written notice of the Integrity Commissioner's determination.
- The appeal shall be heard by a panel of three Integrity Commissioners appointed by the Deputy Minister or his or her delegate within 15 business days of having received the appeal application, but the panel shall not include the Integrity Commissioner whose determination is the subject of the appeal.
- One of the Integrity Commissioners on the panel shall be appointed by the panel to act as chair and co-ordinate the hearing of the appeal;
- The chair of the panel will notify the parties of the appeal process and the requirements of the process;
- The panel shall hear the appeal in writing only;
- The Catholic Trustee appealing the Integrity Commissioners ruling regarding the breach of the trustee code of conduct shall provide written submissions to the panel and the Integrity Commissioner who found the trustee in breach of the code within 20 business days after receiving notice that the panel has been appointed;
- The board's Integrity Commissioner shall provide a written submission to the panel and the Catholic Trustee within 20 business days after receiving the trustees' submissions;
- The Catholic Trustee shall provide the panel a written reply to the Integrity Commissioners submission within 10 business days after receiving the Integrity Commissioners submission;
- The chair of the panel may extend the timeline at the written request of one of the parties to provide for the fair, just and expeditious resolution of the appeal; a decision to extend a timeline shall be provided to the parties in writing and a copy will be sent to the Deputy Minister of Education.
- The panel shall meet to consider the appeal in person or via electronic means;

*Panel Decisions:*

The panel may

- Define or narrow the scope of the appeal
- Limit length of submissions from the parties
- Make interim decisions and orders
- On its motion, and without holding a hearing dismiss an appeal as frivolous or vexatious or commenced in bad faith
- The panel's decision regarding dismissal on the grounds of it being frivolous or vexatious or made in bad faith is final;
- The chair of the panel shall notify the parties of the appeal of its decision on the above

matters;
- Final decision: the panel shall provide its decision and reasons, including any dissent, to the parties within 30 business days after receiving the Integrity Commissioners submission. The panel shall provide the Deputy Minister with a copy of the decision, reasons, and dissent.

*Review of the Trustee Code of Conduct Administrative Procedure*

The Catholic District School Board of Eastern Ontario shall review its code of conduct for, among other things, compliance with Ontario Regulation 312/24 and shall pass a board resolution setting out the required changes, or if no changes are required, confirming the code of conduct.

The first review shall be completed within 30 days after this Regulation comes into force.

The second review shall be completed no later than May 15, 2027.

Each subsequent review shall be completed in the fourth year following the previous review and no later than May 15 in that year.

If one or more changes are set out in a board resolution, the board shall update its code of conduct to reflect the changes no later than August 31 in the year of the review.

## Responsibilities

**The Board of Trustees is responsible for:**

- Ensuring this Administrative Procedure is aligned with the board's Directional Policy on Governance, Vision, and Strategic Priorities.
- Observing and meeting their obligation to always follow the Trustee Code of Conduct.
- Following the established process of enforcement and appeal, if required.

**The Director of Education is responsible for:**

- Designating resources for ensuring the implementation of and compliance with this Administrative Procedure.
- Ensuring this Administrative Procedure is communicated to and reviewed by all CDSBEO Catholic Trustees.

## Progress Indicators

- The Trustee Code of Conduct will be publicly available on the Board's website.
- The Code of Conduct is reviewed in keeping with Regulatory requirements.
- The board shall maintain an archive of all previous versions of its code of conduct,

indicating the period during which each version applied, and shall ensure that the versions are publicly available.

## References

- Education Act, R.S.O. 1990, c. E.2 | ontario.ca
- Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50 | ontario.ca
- Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 | ontario.ca
- Multi-Year Strategic Plan
- Office of the Integrity Commissioner of Ontario
- Good Governance for School Boards: Trustee Professional Development Program