

Section 108 (3) of the *Education Act* states that the Council shall establish a code of conduct for its members. Further, in order to reach a common vision, the business of Council needs to be conducted in a professional and business-like manner within an atmosphere of trust and mutual respect. Council members shall conduct themselves in accordance with the following code.

As a member of the South Slave Divisional Education Council:

- 1) My primary goal is to contribute positively to the educational growth of the students and schools in the South Slave region to the best of my abilities.
- 2) I will endeavour to uphold that funds of the Council are expended wisely, economically and in the best interests of the students and schools.
- 3) I will not use the schools or any part of the education system for personal gain or for that of my family or friends.
- 4) I will understand that as an individual Council member, the only authority I hold exists when I serve as a voting member at a regular meeting of the South Slave Divisional Education Council.
- 5) I will represent the interests of the students of the entire South Slave region. This accountability supersedes any conflicting loyalty to special interests or partisan politics of my community or DEA:
 - a) I will not promise anyone or any group how I will vote on any issue before a meeting.
- 6) I will do everything possible to maintain the integrity, confidence and dignity of the Council, its members and staff, including:
 - a) I will treat my fellow Council members and staff with respect and consideration both in Council meetings and in the communities, and will not withhold from them any information of which they should be advised.
 - b) I will try to be positive and helpful in meetings and avoid talking in ways that hurt other members, the SSDEC, and the DEAs, or interfering with the successful completion of the business at hand, while maintaining the right to put forward honest and respectful criticism.
 - c) I will publicly support all decisions of the Council for as long as I remain a member, even though I may express disagreement with any matter during debate at a regular or special meeting of the Council.
 - d) I will strive always to serve as a positive role model and I will not distort, falsify, ignore, understate or exaggerate information gained in Council meetings.
- 7) I will not discuss the confidential business of the Council and the DEA at any time, other than during a regular or special meeting of the Council or the DEA, held in-camera.
- 8) I will report on the proceedings and decisions of all Council meetings to the DEA that I represent, using the codes above as a guide to what and how I report.

REGULATIONS

These regulations clarify the processes and the kinds of sanctions that might be applied by Council to a member who violates one or more provisions of this policy:

- 1) Section 107 of the Education Act provides four (4) reasons for which a member shall cease to be a member of the Council:

107. Any member of a Divisional Education Council shall vacate his or her seat and cease to be a member of the Divisional Education Council where that person:

(a) is convicted of an offence under this Act;

(b) would, subsequent to his or her election, not be eligible to be a candidate at an election as a member;

(c) absents himself or herself from meetings of the Divisional Education Council for two consecutive meetings without being authorized to do so by a resolution entered in the minutes of the Divisional Education Council; or

(d) contravenes the code of conduct established by the Divisional Education Council for its members.

- 2) In relation to Section 107 of the Education Act, Council may choose to censure, discipline, restrict, suspend or remove a member for contraventions to the Codes of Conduct numbered 1 to 8 above, and/or for any of the following reasons:

- Failure to declare conflict of interest – pecuniary or perceived
- Serious, unresolved conflict of interest – pecuniary or perceived
- Illegal acts that are confirmed after proper investigation
- Behaviours that cause serious concerns for liability for the Council
- Flagrant misrepresentation of Council information and/or business
- Repeated or flagrant refusal to follow prescribed protocol
- Inappropriate behaviour by a member at a meeting, in relation to other members, with staff members or with the public, or behaviours that show a lack of respect for those people
- Poor attendance

- 3) Council's level of response to these behaviours or actions by a member will vary dependent upon the seriousness of the offence and whether it is part of a pattern or series of events.

Council's response(s) might include:

1. Discussion of the issue in camera by members of Council.
2. Verbal censure or warning by Chairperson
3. Written warning or censure by Council – in-camera
4. Written warning or censure by Council – public
5. Suspension of member from Council for specific number of meetings
6. Removal of member from Council

The responses listed above are not an escalating list of disciplinary actions. Council may choose the response or responses that are deemed appropriate for the circumstances.

- 4) Notwithstanding Council's right to choose the appropriate form of censure, Council must follow proper procedure when arriving at a decision. Council should include steps that clearly identifies the behaviour that may be inappropriate and provides an opportunity for the member in question to respond:
 - Identify the concern in writing or at a Council meeting,
 - Discuss the issue at a meeting of Council (in-camera or open meeting),
 - an agenda item specifying "evaluation of individual board members' performance" may be listed on the agenda for an upcoming Council meeting
 - Attempt to discuss the issue with the member in question (can be delegated to Chairperson),
 - this step, and the one prior, provides opportunity to discuss possible solutions or more appropriate alternatives to the questionable behavior that would have a more positive impact on team cohesiveness and effectiveness
 - Pass a motion indicating the action taken (ie. verbal or written censure, suspension, removal), and
 - Inform the member in question of the decision in a timely manner.
- 5) In the event that a member is censured, disciplined, suspended or removed by Council, that member's DEA will be notified in writing. In the case of a removal, the affected DEA may select a replacement representative to Council, provided the replacement has not previously been removed for violation of section 107 of the Education Act or the Council's Code of Conduct.
- 6) If a member is suspended or removed, Council will also inform the Minister of Education in writing.
- 7) The Council may, by special motion, declare the office of the Chair or Vice-chair to be vacant effective the date of the passage of the motion, where the Chair and/or Vice-Chair either:
 - Becomes disqualified as a member, and/or
 - Deliberately contravenes legislation, and/or
 - Deliberately breaches a board policy, procedure or practice, and/or
 - Acts in such a manner as to lose the confidence of the Council.

The Council shall, at the same meeting, elect a new Chair and/or Vice-Chair respectively.

Reference: Education Act, s.107 & s.108 (3)
Amended: December 1998
October 2002
November 2009