



MEMORANDUM

September 9, 2025
Regular Board Meeting

TO	Board of Trustees
FROM	Lorraine Stewart, Board Chair Aimee Hennig, Board Vice-Chair
ORIGINATOR	Shauna Boyce, Superintendent
RESOURCE	Policy Review Committee
GOVERNANCE POLICY	Board Policy 1: Division Foundational Statements Board Policy 3: Role of the Trustee Board Policy 18: Learning and Working in a Welcoming, Caring, Respectful and Safe Environment Board Policy 20: Whistle-Blower Protection
ADDITIONAL REFERENCE	<i>Education Act</i>
SUBJECT	REVISED BOARD POLICY 4: APPENDIX 4.1: TRUSTEE CODE OF CONDUCT SANCTIONS

PURPOSE

For approval. A recommendation is required.

RECOMMENDATION

That the Board of Trustees approves Revised Board Policy 4: Appendix 4.1 Trustee Code of Conduct Sanctions, as recommended by the Policy Review Committee and presented at the Regular Meeting of September 9, 2025.

BACKGROUND

The Board of Trustees is responsible for reviewing Board Policies on an ongoing basis to adhere to the requirements necessary to provide excellence in public education and comply with the *Education Act* and provincial, as well as federal, legislation. The following revised policy is in support of this responsibility.

REPORT SUMMARY

On August 28, 2025, the Policy Review Committee reviewed Board Policy 4: Appendix 4.1 Trustee Code of Conduct Sanctions and drafted a revised BP 4 Appendix 4.1 with the following key changes:

- Updates that reflect the new incoming legislation concerning sanctioning trustees.

The Policy Review Committee finalized BP 4 Appendix 4.1 August 28, 2025, for Board recommendation.

The Policy Committee would be pleased to respond to any questions.

LS:ly



Parkland School Division Board Policy 4

TRUSTEE CODE OF CONDUCT

The Board commits itself and its members to conduct of the highest ethical standards. This high standard includes the proper use of authority and appropriate decorum exhibited as individuals and within group behaviour. It is expected that all personal interactions and relationships will be characterized by mutual respect, which acknowledges the dignity and affirms the worth of each person. The *Trustee Code of Conduct* requires that trustees respect the confidentiality appropriate to issues of a sensitive nature.

Guidelines for Trustee Conduct:

1. Trustees shall carry out their responsibilities as detailed in *Board Policy 3: Role of the Trustee* and shall devote time, thought and study to the duties and responsibilities of trusteeship, with reasonable diligence, so that they may render effective and creditable service.
2. Trustees shall conduct themselves in a manner that enhances public confidence and trust, and positively affects the public's perception of their ability to do their job in an impartial manner.
3. Trustees shall commit themselves to dignified, ethical, lawful and professional conduct.
4. While trustees have the same rights afforded to individuals, trustees are required at all times to maintain the integrity of public office and conduct themselves in a manner that enhances public confidence and trust, and positively affects the public's perception of their ability to do their job in an impartial and professional manner. Specifically:
 - 4.1. Relationships with the division staff, the local citizenry, and the media shall be conducted on the basis of this fact.
 - 4.2. Trustees have no legal authority outside the meetings of the Board, unless the Board has so delegated.
 - 4.3. Trustees recognize that the Board Chair is the official spokesperson of the Board.
 - 4.4. Trustees shall not attempt to exercise individual authority over the Superintendent of Schools or any member of the staff.
5. Trustees shall support the Board's policies and resolutions when communicating with the public.
6. While elected from specific wards, trustees shall represent the best interest of the entire Division.

With respect to trustee decisions:

7. Trustees shall do everything possible to maintain the integrity, confidence, and dignity of the office of trustee.

8. Trustees shall base decisions upon all available facts in each situation.
9. Trustees shall vote with honest conviction in every case.
10. Trustees shall refrain from becoming swayed by partisan bias of any kind.

With respect to Board collegiality:

11. Trustees shall endeavour to work with fellow Board members cooperatively, with respect, and in a spirit of harmony and cooperation, in spite of any differences of opinion which may arise during debate:
 - 11.1. Trustees shall encourage full and open discussions in all matters with fellow trustees;
 - 11.2. Trustees shall not withhold or conceal any information or matter with which other Trustees should be concerned;
 - 11.3. Trustees shall honour the roles established by the Board for the purpose of Board Chair, Board Vice-Chair and/or Board committee representation, and
 - 11.4. Trustees shall abide by and uphold the final majority decision of the Board.

With respect to schools and school operations:

12. Trustees shall not use the schools or any part of the school program for their own personal advantage or for the advantage of family and friends.
13. Trustees shall demonstrate an understanding of the needs and aspirations of the Division and shall support the Board's current Education Plan.
14. Trustees shall govern through Board policy and shall respect the role of the Superintendent with regard to Division management and operations.

With respect to confidentiality, pecuniary interest and/or fiduciary responsibilities:

15. Trustees shall keep confidential any personal, privileged or confidential information obtained in the capacity of a trustee, and shall not disclose the information except when authorized by law, or by the Board.
16. Trustees shall honour their fiduciary responsibility to the Board and demonstrate that the expenditure of school funds is a public trust; notably
 - 16.1. Trustees shall endeavour to see that all such funds shall be expended efficiently, economically, and for the best interest of the students.
17. Trustees' fiduciary responsibility to the Board supersedes any conflicting loyalty, such as that to advocacy or interest groups and memberships on other Boards or staffs, or acting as an individual consumer of the Division's services:

- 17.1. Trustees, having a pecuniary interest in a matter before the Board, and as defined in section 85(1)(b) of the *Education Act*, shall follow the requirements of the *Education Act* and *Board Policy 7: Board Operations*;
 - 17.2. Trustees shall declare any pecuniary interests and act in accordance with provincial and federal legislation; and
 - 17.3. Trustees shall avoid any conflict-of-interest with respect to their fiduciary responsibility.
 - 17.4. Trustees shall not use their influence, or allow themselves to submit to any external pressure, to advance any personal, family or friends' interests or the interests of any organization with which the trustee is associated.
18. Trustees shall be accountable to represent loyalty without conflict to the interests of the Division:
- 18.1. This accountability shall supersede any conflicting loyalty such as that to advocacy or interest groups and memberships on other boards or staffs; and
 - 18.2. This accountability also supersedes the personal interest of any trustee acting as a consumer of the organization's services.

With respect to a breach of the *Code of Conduct*:

19. Consequences for the failure of a Trustee to adhere to *Board Policy 4: Trustee Code of Conduct* (herein) are specified in Policy 4: Appendix 4.1.

Reference:	Education Act: 33, 34, 51-53, 64, 67, 85-91, Local Authorities Election Act: 21-24,	Approved:	
		Date	September 9, 2025
Cross-Reference:	Board Policy: 1, 3, 18, 20	Approved:	
		Reviewed or Revised:	August, 2025 June, 2021



Parkland School Division Board Policy 4: Appendix 4.1

TRUSTEE CODE OF CONDUCT SANCTIONS

Trustees shall conduct themselves in an ethical and prudent manner in compliance with Parkland School Division Board Policy 4: Trustee *Code of Conduct*. The failure by trustees to conduct themselves in compliance with this policy may result in the Board instituting sanctions.

Regarding allegations of inappropriate or unethical conduct:

1. Any trustee who perceives that a fellow trustee has violated the *Code of Conduct* may seek resolution of the matter through appropriate, conciliatory measures, prior to commencing an official complaint under the *Code of Conduct*.
2. A trustee who wishes to commence an official complaint (the complainant) under the *Code of Conduct* shall file a letter of complaint with the Board Chair within fifteen (15) days of becoming aware of the alleged violation of the *Code of Conduct* occurring:
 - 2.1. If the complaint is with respect to the conduct of the Board Chair, the letter of complaint shall be filed with the Vice-Chair;
 - 2.2. The letter of complaint shall indicate the nature of the complaint and the section or sections of the *Code of Conduct* that are alleged to have been violated by the trustee;
 - 2.3. The trustee who is alleged to have violated the *Code of Conduct* (the respondent), and all other trustees, shall be forwarded a copy of the letter of complaint by the Board Chair, or by the Vice-Chair where otherwise applicable, within five (5) days of receipt by the Board Chair or Vice Chair of the letter of complaint;
 - 2.4. The communication forwarding the letter of complaint to the other trustees shall be by e-mail to the trustees' Parkland School Division email accounts.
3. When a trustee files a letter of complaint, and a copy of that letter of complaint is forwarded to all trustees, the filing, notification, content, and nature of the complaint shall be deemed to be strictly confidential, the public disclosure of which shall be deemed to be a violation of the *Code of Conduct*; notably:
 - 3.1. Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at a *Code of Conduct* hearing.
4. To ensure that the complaint has merit to be considered and reviewed, at least one other trustee must provide to the Board Chair, within five (5) days of the notice in writing of the complaint being forwarded to all trustees, a letter indicating support for having the complaint heard at a *Code of Conduct* hearing; notably:

- 4.1. Any trustee who forwards such a letter of support shall not be disqualified from attending at and deliberating upon the complaint at a *Code of Conduct* hearing convened to hear the matter, solely for having issued such a letter.
5. Where no letter supporting a hearing is received by the Board Chair within the five (5) day period referred to in section 4 above, the complaint shall not be heard; notably:
 - 5.1. The Board Chair shall notify all other trustees in writing by email to each trustees' Parkland School Division email account that no further action of the Board shall occur.
6. Where a letter supporting a hearing is received by the Board Chair within the five (5) day period referred to in section 4 above, the Board Chair shall convene, as soon as is reasonable, a special meeting of the Board to conduct a *Code of Conduct* hearing.
7. The Board Chair may request that the Superintendent or designate (as Head of the Division under the *Freedom of Information and Protection of Privacy Act*), appoint an independent investigator to review this matter.
 - 7.1. This request may occur only after such a motion has been discussed and agreed to by a majority of trustees present at an *in-camera* meeting of the Board.
 - 7.2. This decision shall immediately be approved in a public meeting of the Board.
 - 7.3. The independent investigator shall investigate the matter and submit, in a timely manner, a report of findings and recommendations to the Board Chair and to the Superintendent.
 - 7.4. The Board Chair shall present the report of the independent investigator at an *in-camera* meeting of the Board.
 - 7.5. At this time, the trustee in question shall have an opportunity to present any additional, relevant information.

Code of Conduct Hearing:

8. At the commencement of a special meeting of the Board, the Board Chair shall indicate the nature of the business to be transacted, and that the complaint shall be heard in an *in-camera* session of the special meeting; notably:
 - 8.1. The Board Chair shall also confirm that trustees may optionally take paper notes for their own use but otherwise, there will be no recording of the proceedings; and
 - 8.2. The notes, if any, shall be retained until the matter has been disposed of by way of a resolution of the Board, following which the notes will be destroyed, and the resolution will be the only record relating to the proceedings.
9. Without limitation, the Board Chair shall ensure fairness in dealing with the complaint or allegation, and shall adhere to the following:
 - 9.1. All preliminary matters, including whether one or more trustees may have a conflict of interest in hearing the presentations regarding the complaint, shall be dealt with prior to the presentation of the complaint on behalf of the complainant trustee.

10. The *Code of Conduct* hearing shall adhere to the following sequence:
 - 10.1. The complainant trustee shall provide a presentation which may be written or oral or both;
 - 10.2. The respondent trustee shall provide a presentation which may be written or oral or both;
 - 10.3. The complainant trustee shall then be given an opportunity to reply to the respondent trustee's presentation;
 - 10.4. The respondent trustee shall then be provided a further opportunity to respond to the complaining trustee's presentation and subsequent remarks;
 - 10.5. The remaining trustees of the Board shall be given the opportunity to ask questions of both parties;
 - 10.6. The complainant trustee shall be given the opportunity to make final comments; and
 - 10.7. The respondent trustee shall be given the opportunity to make final comments.
11. Following the presentation of the respective positions of the complainant trustee and respondent trustee, the complainant trustee and respondent trustee shall be required to leave the room, and the remaining trustees shall deliberate, without assistance from administration;
 - 11.1. The Board may, in its discretion, call upon legal advisors to assist them on points of law or the drafting of a possible resolution.
12. If the remaining trustees in deliberation require further information or clarification, the parties shall be recalled, and the requests made in the presence of both parties:
 - 12.1. If the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment of the *Code of Conduct* hearing to a later date.
 - 12.2. In the case of an adjournment, no discussion by trustees whatsoever of the matters heard at the *Code of Conduct* hearing may take place until the meeting is reconvened.
13. The remaining trustees in deliberation may draft a resolution indicating what action, if any, may be taken regarding the respondent trustee.
14. The presiding Chair shall reconvene the parties to the *Code of Conduct* hearing and request a motion to revert to the open meeting in order to consider motion(s), if any.
 - 14.1. The respondent trustee and complainant trustee would be ineligible from voting on the motions.
15. Sanctions shall be applied to a Trustee if, by a majority vote of the Board, it is determined that a breach of the *Code of Conduct* has occurred.
16. All documentation that is related to the *Code of Conduct* hearing shall be returned to the Superintendent or designate immediately upon conclusion of the *Code of Conduct* hearing and shall be retained in accordance with legal requirements.
17. The presiding Chair shall declare the special Board meeting adjourned.

Code of Conduct Sanctions:

18. Should the Board determine that a violation of the *Code of Conduct* has occurred, the Board may institute by resolution, and without limitation, any sanctions available to the Board.
19. The Board may, in its discretion, make public its findings at the special meeting or at a regular meeting of the Board where the board has not upheld the complaint alleging a violation of the board's *Code of Conduct* or where there has been a withdrawal of the complaint or under any other circumstances that the Board deems reasonable and appropriate to indicate publicly its disposition of the complaint.
20. If a trustee is disqualified under section 87 or 88 of the *Education Act* from remaining as a trustee of the Board and does not resign as required under section 90, the Board may by resolution declare the trustee to be disqualified from remaining a trustee and the seat on the Board to be vacant.
21. The Board may apply for originating notice to the Court of King's Bench for an Order:
 - 21.1. Determining whether the person is qualified to remain as a trustee, or
 - 21.2. Declaring the person to be disqualified from remaining as a trustee and the seat on the Board to be vacant.

Date Approved: September 9, 2025	Reviewed or Revised: August, 2025 June, 2021
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Reference:	Education Act: 33, 34, 51-53, 64, 67, 85-96 85-91 , 260	Approved:	
	Local Authorities Election Act: 21-24,	Date Approved:	June 15, 2021 September 9, 2025
Cross-Reference:	Board Policy: 1, 3, 18 , 20	Reviewed or Revised:	June, 2021 June, 2021 August, 2025



Parkland School Division Board Policy 4: Appendix 4.1

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 - 2.2. The letter of complaint shall indicate the nature of the complaint and the section or sections of the *Code of Conduct* that are alleged to have been violated by the trustee;
 - 2.3. The trustee who is alleged to have violated the *Code of Conduct* (the respondent), and all other trustees, shall be forwarded a copy of the letter of complaint by the Board Chair, or by the Vice-Chair where otherwise applicable, within five (5) days of receipt by the Board Chair or Vice Chair of the letter of complaint;
 - 2.4. The communication forwarding the letter of complaint to the other trustees shall be by e-mail to the trustees' Parkland School Division email accounts.
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 - 3.1. Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at a *Code of Conduct* hearing.

4. To ensure that the complaint has merit to be considered and reviewed, at least one other trustee must provide to the Board Chair, within five (5) days of the notice in writing of the complaint being forwarded to all trustees, a letter indicating support for having the complaint heard at a *Code of Conduct* hearing; notably:
 - 4.1. Any trustee who forwards such a letter of support shall not be disqualified from attending at and deliberating upon the complaint at a *Code of Conduct* hearing convened to hear the matter, solely for having issued such a letter.
5. Where no letter supporting a hearing is received by the Board Chair within the five (5) day period referred to in section 4 above, the complaint shall not be heard; notably:
 - 5.1. The Board Chair shall notify all other trustees in writing by email to each trustees' Parkland School Division email account that no further action of the Board shall occur.
6. Where a letter supporting a hearing is received by the Board Chair within the five (5) day period referred to in section 4 above, the Board Chair shall convene, as soon as is reasonable, a special meeting of the Board to conduct a *Code of Conduct* hearing.
7. The Board Chair may request that the Superintendent or designate (as Head of the Division under the *Freedom of Information and Protection of Privacy Act*), appoint an independent investigator to review this matter.
 - 7.1. This request may occur only after such a motion has been discussed and agreed to by a majority of trustees present at an *in-camera* meeting of the Board.
 - 7.2. This decision shall immediately be approved in a public meeting of the Board.
 - 7.3. The independent investigator shall investigate the matter and submit, in a timely manner, a report of findings and recommendations to the Board Chair and to the Superintendent.
 - 7.4. The Board Chair shall present the report of the independent investigator at an *in-camera* meeting of the Board.
 - 7.5. At this time, the trustee in question shall have an opportunity to present any additional, relevant information.

Code of Conduct Hearing:

8. At the commencement of a special meeting of the Board, the Board Chair shall indicate the nature of the business to be transacted, and that the complaint shall be heard in an *in-camera* session of the special meeting; notably:
 - 8.1. The Board Chair shall also confirm that trustees may optionally take paper notes for their own use but otherwise, there will be no recording of the proceedings; and
 - 8.2. The notes, if any, shall be retained until the matter has been disposed of by way of a resolution of the Board, following which the notes will be destroyed, and the resolution will be the only record relating to the proceedings.

9. Without limitation, the Board Chair shall ensure fairness in dealing with the complaint or allegation, and shall adhere to the following:
 - 9.1. All preliminary matters, including whether one or more trustees may have a conflict of interest in hearing the presentations regarding the complaint, shall be dealt with prior to the presentation of the complaint on behalf of the complainant trustee.
10. The *Code of Conduct* hearing shall adhere to the following sequence:
 - 10.1. The complainant trustee shall provide a presentation which may be written or oral or both;
 - 10.2. The respondent trustee shall provide a presentation which may be written or oral or both;
 - 10.3. The complainant trustee shall then be given an opportunity to reply to the respondent trustee's presentation;
 - 10.4. The respondent trustee shall then be provided a further opportunity to respond to the complaining trustee's presentation and subsequent remarks;
 - 10.5. The remaining trustees of the Board shall be given the opportunity to ask questions of both parties;
 - 10.6. The complainant trustee shall be given the opportunity to make final comments; and
 - 10.7. The respondent trustee shall be given the opportunity to make final comments.
11. Following the presentation of the respective positions of the complainant trustee and respondent trustee, the complainant trustee and respondent trustee shall be required to leave the room, and the remaining trustees shall deliberate, without assistance from administration;
 - 11.1. The Board may, in its discretion, call upon legal advisors to assist them on points of law or the drafting of a possible resolution.
12. If the remaining trustees in deliberation require further information or clarification, the parties shall be recalled, and the requests made in the presence of both parties:
 - 12.1. If the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment of the *Code of Conduct* hearing to a later date.
 - 12.2. In the case of an adjournment, no discussion by trustees whatsoever of the matters heard at the *Code of Conduct* hearing may take place until the meeting is reconvened.
13. The remaining trustees in deliberation may draft a resolution indicating what action, if any, may be taken regarding the respondent trustee.
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15. Sanctions shall be applied to a Trustee if, by a majority vote of the Board, it is determined that a breach of the *Code of Conduct* has occurred.

16. All documentation that is related to the *Code of Conduct* hearing shall be returned to the Superintendent or designate immediately upon conclusion of the *Code of Conduct* hearing and shall be retained in accordance with legal requirements.
17. The presiding Chair shall declare the special Board meeting adjourned.

Code of Conduct Sanctions:

18. ~~Should the Board determine that a~~ violation of the *Code of Conduct* ~~has occurred, may result in the~~ Board ~~may institute instituting by resolution, and~~ without limitation, any ~~or all~~ sanctions available to the Board. ~~of the following sanctions:~~
 - ~~18.1.—The Board Chair writing a letter of identifying the violation of the *Code of Conduct* marked “Personal and Confidential” to the trustee in question.~~
 - ~~18.1.1.—This occurs only after having such action discussed and agreed upon by a majority vote of trustees present at an *in-camera* meeting of the Board.~~
 - ~~18.1.2.—A majority of trustees at a public meeting of the Board shall approve this decision.~~
 - ~~18.2.—Having a motion of censure naming the respondent passed by a majority of those trustees present and allowed to vote at the special meeting of the Board;~~
 - ~~18.3.—Having a motion to remove the offending trustee from one, some or all Board committees or other appointments of the Board for a time not to exceed the trustee’s term as trustee passed by a majority of those trustees present and allowed to vote at the special meeting of the Board; or~~
 - ~~18.4.—Having a motion to disqualify the offending trustee passed by a majority of those trustees present and allowed to vote at the special meeting of the Board.~~
19. The Board may, in its discretion, make public its findings at the special meeting or at a regular meeting of the Board where the board has not upheld the complaint alleging a violation of the board’s *Code of Conduct* or where there has been a withdrawal of the complaint or under any other circumstances that the Board deems reasonable and appropriate to indicate publicly its disposition of the complaint.
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Date Approved: ~~June 15, 2021~~ September 9, 2025

Reviewed or Revised: ~~June, 2021~~

TRACKED



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With respect to schools and school operations:

12. Trustees shall not use the schools or any part of the school program for their own personal advantage or for the advantage of family and friends.
13. Trustees shall demonstrate an understanding of the needs and aspirations of the Division and shall support the Board's current Education Plan.
14. Trustees shall govern through Board policy and shall respect the role of the Superintendent with regard to Division management and operations.


With respect to confidentiality, pecuniary interest and/or fiduciary responsibilities:

15. Trustees shall keep confidential any personal, privileged or confidential information obtained in the capacity of a trustee, and shall not disclose the information except when authorized by law, or by the Board.
16. Trustees shall honour their fiduciary responsibility to the Board and demonstrate that the expenditure of school funds is a public trust; notably
 - 16.1. Trustees shall endeavour to see that all such funds shall be expended efficiently, economically, and for the best interest of the students.
17. Trustees' fiduciary responsibility to the Board supersedes any conflicting loyalty, such as that to advocacy or interest groups and memberships on other Boards or staffs, or acting as an individual consumer of the Division's services:

- 17.1. Trustees, having a pecuniary interest in a matter before the Board, and as defined in section 85(1)(b) of the *Education Act*, shall follow the requirements of the *Education Act* and *Board Policy 7: Board Operations*;
 - 17.2. Trustees shall declare any pecuniary interests and act in accordance with provincial and federal legislation; and
 - 17.3. Trustees shall avoid any conflict-of-interest with respect to their fiduciary responsibility.
 - 17.4. Trustees shall not use their influence, or allow themselves to submit to any external pressure, to advance any personal, family or friends' interests or the interests of any organization with which the trustee is associated.
18. Trustees shall be accountable to represent loyalty without conflict to the interests of the Division:
- 18.1. This accountability shall supersede any conflicting loyalty such as that to advocacy or interest groups and memberships on other boards or staffs; and
 - 18.2. This accountability also supersedes the personal interest of any trustee acting as a consumer of the organization's services.

With respect to a breach of the *Code of Conduct*:

19. Consequences for the failure of a Trustee to adhere to *Board Policy 4: Trustee Code of Conduct* (herein) are specified in Policy 4: Appendix 4.1.

Reference:	Education Act: 33, 34, 51-53, 64, 67, 85-96, 260	Approved:	
	Local Authorities Election Act: 21-24,	Date Approved:	June 15, 2021
Cross-Reference:	Board Policy: 1, 3, 20	Reviewed or Revised:	June, 2021



Parkland School Division Board Policy 4: Appendix 4.1

TRUSTEE CODE OF CONDUCT SANCTIONS

Trustees shall conduct themselves in an ethical and prudent manner in compliance with Parkland School Division Board Policy 4: Trustee *Code of Conduct*. The failure by trustees to conduct themselves in compliance with this policy may result in the Board instituting sanctions.

Regarding allegations of inappropriate or unethical conduct:

1. Any trustee who perceives that a fellow trustee has violated the *Code of Conduct* may seek resolution of the matter through appropriate, conciliatory measures, prior to commencing an official complaint under the *Code of Conduct*.
2. A trustee who wishes to commence an official complaint (the complainant) under the *Code of Conduct* shall file a letter of complaint with the Board Chair within fifteen (15) days of becoming aware of the alleged violation of the *Code of Conduct* occurring:
 - 2.1. If the complaint is with respect to the conduct of the Board Chair, the letter of complaint shall be filed with the Vice-Chair;
 - 2.2. The letter of complaint shall indicate the nature of the complaint and the section or sections of the *Code of Conduct* that are alleged to have been violated by the trustee;
 - 2.3. The trustee who is alleged to have violated the *Code of Conduct* (the respondent), and all other trustees, shall be forwarded a copy of the letter of complaint by the Board Chair, or by the Vice-Chair where otherwise applicable, within five (5) days of receipt by the Board Chair or Vice Chair of the letter of complaint;
 - 2.4. The communication forwarding the letter of complaint to the other trustees shall be by e-mail to the trustees' Parkland School Division email accounts.
3. When a trustee files a letter of complaint, and a copy of that letter of complaint is forwarded to all trustees, the filing, notification, content, and nature of the complaint shall be deemed to be strictly confidential, the public disclosure of which shall be deemed to be a violation of the *Code of Conduct*; notably:
 - 3.1. Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at a *Code of Conduct* hearing.
4. To ensure that the complaint has merit to be considered and reviewed, at least one other trustee must provide to the Board Chair, within five (5) days of the notice in writing of the complaint being forwarded to all trustees, a letter indicating support for having the complaint heard at a *Code of Conduct* hearing; notably:

- 4.1. Any trustee who forwards such a letter of support shall not be disqualified from attending at and deliberating upon the complaint at a *Code of Conduct* hearing convened to hear the matter, solely for having issued such a letter.
5. Where no letter supporting a hearing is received by the Board Chair within the five (5) day period referred to in section 4 above, the complaint shall not be heard; notably:
 - 5.1. The Board Chair shall notify all other trustees in writing by email to each trustees' Parkland School Division email account that no further action of the Board shall occur.
6. Where a letter supporting a hearing is received by the Board Chair within the five (5) day period referred to in section 4 above, the Board Chair shall convene, as soon as is reasonable, a special meeting of the Board to conduct a *Code of Conduct* hearing.
7. The Board Chair may request that the Superintendent or designate (as Head of the Division under the *Freedom of Information and Protection of Privacy Act*), appoint an independent investigator to review this matter.
 - 7.1. This request may occur only after such a motion has been discussed and agreed to by a majority of trustees present at an *in-camera* meeting of the Board.
 - 7.2. This decision shall immediately be approved in a public meeting of the Board.
 - 7.3. The independent investigator shall investigate the matter and submit, in a timely manner, a report of findings and recommendations to the Board Chair and to the Superintendent.
 - 7.4. The Board Chair shall present the report of the independent investigator at an *in-camera* meeting of the Board.
 - 7.5. At this time, the trustee in question shall have an opportunity to present any additional, relevant information.

Code of Conduct Hearing:

8. At the commencement of a special meeting of the Board, the Board Chair shall indicate the nature of the business to be transacted, and that the complaint shall be heard in an *in-camera* session of the special meeting; notably:
 - 8.1. The Board Chair shall also confirm that trustees may optionally take paper notes for their own use but otherwise, there will be no recording of the proceedings; and
 - 8.2. The notes, if any, shall be retained until the matter has been disposed of by way of a resolution of the Board, following which the notes will be destroyed, and the resolution will be the only record relating to the proceedings.
9. Without limitation, the Board Chair shall ensure fairness in dealing with the complaint or allegation, and shall adhere to the following:
 - 9.1. All preliminary matters, including whether one or more trustees may have a conflict of interest in hearing the presentations regarding the complaint, shall be dealt with prior to the presentation of the complaint on behalf of the complainant trustee.

10. The *Code of Conduct* hearing shall adhere to the following sequence:
 - 10.1. The complainant trustee shall provide a presentation which may be written or oral or both;
 - 10.2. The respondent trustee shall provide a presentation which may be written or oral or both;
 - 10.3. The complainant trustee shall then be given an opportunity to reply to the respondent trustee's presentation;
 - 10.4. The respondent trustee shall then be provided a further opportunity to respond to the complaining trustee's presentation and subsequent remarks;
 - 10.5. The remaining trustees of the Board shall be given the opportunity to ask questions of both parties;
 - 10.6. The complainant trustee shall be given the opportunity to make final comments; and
 - 10.7. The respondent trustee shall be given the opportunity to make final comments.
11. Following the presentation of the respective positions of the complainant trustee and respondent trustee, the complainant trustee and respondent trustee shall be required to leave the room, and the remaining trustees shall deliberate, without assistance from administration;
 - 11.1. The Board may, in its discretion, call upon legal advisors to assist them on points of law or the drafting of a possible resolution.
12. If the remaining trustees in deliberation require further information or clarification, the parties shall be recalled, and the requests made in the presence of both parties:
 - 12.1. If the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment of the *Code of Conduct* hearing to a later date.
 - 12.2. In the case of an adjournment, no discussion by trustees whatsoever of the matters heard at the *Code of Conduct* hearing may take place until the meeting is reconvened.
13. The remaining trustees in deliberation may draft a resolution indicating what action, if any, may be taken regarding the respondent trustee.
14. The presiding Chair shall reconvene the parties to the *Code of Conduct* hearing and request a motion to revert to the open meeting in order to consider motion(s), if any.
 - 14.1. The respondent trustee and complainant trustee would be ineligible from voting on the motions.
15. Sanctions shall be applied to a Trustee if, by a majority vote of the Board, it is determined that a breach of the *Code of Conduct* has occurred.
16. All documentation that is related to the *Code of Conduct* hearing shall be returned to the Superintendent or designate immediately upon conclusion of the *Code of Conduct* hearing and shall be retained in accordance with legal requirements.
17. The presiding Chair shall declare the special Board meeting adjourned.

Code of Conduct Sanctions:

18. A violation of the *Code of Conduct* may result in the Board instituting, without limitation, any or all of the following sanctions:
 - 18.1. The Board Chair writing a letter of identifying the violation of the *Code of Conduct* marked “Personal and Confidential” to the trustee in question.
 - 18.1.1. This occurs only after having such action discussed and agreed upon by a majority vote of trustees present at an *in-camera* meeting of the Board.
 - 18.1.2. A majority of trustees at a public meeting of the Board shall approve this decision.
 - 18.2. Having a motion of censure naming the respondent passed by a majority of those trustees present and allowed to vote at the special meeting of the Board;
 - 18.3. Having a motion to remove the offending trustee from one, some or all Board committees or other appointments of the Board for a time not to exceed the trustee’s term as trustee passed by a majority of those trustees present and allowed to vote at the special meeting of the Board; or
 - 18.4. Having a motion to disqualify the offending trustee passed by a majority of those trustees present and allowed to vote at the special meeting of the Board.
19. The Board may, in its discretion, make public its findings at the special meeting or at a regular meeting of the Board where the board has not upheld the complaint alleging a violation of the board’s *Code of Conduct* or where there has been a withdrawal of the complaint or under any other circumstances that the Board deems reasonable and appropriate to indicate publicly its disposition of the complaint.
20. If a trustee is disqualified under section 87 or 88 of the *Education Act* from remaining as a trustee of the Board and does not resign as required under section 90, the Board may by resolution declare the trustee to be disqualified from remaining a trustee and the seat on the Board to be vacant.
21. The Board may apply for originating notice to the Court of Queen’s Bench for an Order:
 - 21.1. Determining whether the person is qualified to remain as a trustee, or
 - 21.2. Declaring the person to be disqualified from remaining as a trustee and the seat on the Board to be vacant.

Date Approved: June 15, 2021	Reviewed or Revised: June, 2021
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