

**GOVERNANCE AND POLICY COMMITTEE  
REGULAR MEETING  
Public Session**

**AGENDA  
November 6, 2024**

**Maria Rizzo, Chair**  
Trustee Ward 5

**Kevin Morrison**  
Trustee Ward 9

**Garry Tanuan, Vice Chair**  
Trustee Ward 8

**Nancy Crawford**  
Ex-Officio



**Angela Kennedy**  
Trustee Ward 11

**Markus de Domenico**  
Ex-Officio

**Ida Li Preti**  
Trustee Ward 3



**MISSION**

*The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.  
We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*

**VISION**

*At Toronto Catholic we transform the world through witness, faith, innovation and action.*

**Recording Secretary: Sophia Harris, 416-222-8282 Ext. 2293**  
**Assistant Recording Secretary: Skeeter Hinds-Barnett, 416-222-8282 Ext. 2298**  
**Assistant Recording Secretary: Sapphire Adaikpoh, 416-222-8282 Ext. 2295**

**Dr. Brendan Browne**  
Director of Education

**Nancy Crawford**  
Chair of the Board

## **TERMS OF REFERENCE FOR GOVERNANCE AND POLICY COMMITTEE**

The Governance Framework Committee is responsible for:

A. Ensuring that governance structures, policies, protocols, processes and performance metrics:

- i). advance the vision of the TCDSB, rooted in Catholic values and teachings.
- ii). support the achievement of our Multi-Year Plan.
- iii). conform to best practices.
- iv). provide strategic cohesion and consistency.
- v). comply with the Education Act and other pertinent legislation.

B. Providing a meta policy framework to ensure all policy formation, monitoring and evaluation follow a standard process that reflects exemplary practices in policy development.

C. Carrying out a continuous review of the roster of existing policy to ensure conformity and advancement of (A) above.

D. Identifying the supports (e.g. capacity training) needed to implement the governance framework.

E. Ensuring ongoing governance reviews of the Board.

F. Ensuring that the TCDSB By-laws and the Trustee Code of Conduct reflect the vision and mission of the Board and adhere to good governance practices, the Education Act and other pertinent legislation.

## **Land Acknowledgement**

The land we walk on belongs to the Creator. Earth does not belong to humanity but rather, humanity is part of the Earth. The land was created to be enjoyed by all living beings, a principle reflected in The Dish with One Spoon covenant. Taking only what we need to preserve our earth for future generations, leaving some for others as a sign of our respect and caring, and keeping it clean by revitalizing the land to sustain generations to come.

All Toronto Catholic District School Board properties are situated on the traditional territories of the Anishinabek, the Haudenosaunee Confederacy, and the Wendat peoples. We recognize that the land covered by Treaty 13 is held by the Mississaugas of the Credit First Nation. We also listen to the echoes of their prayers to the Creator, and respect the beauty of Mother Earth while striving to learn and draw wisdom from First Nations, Inuit and Métis traditions.

## **La reconnaissance des territoires**

Les terres sur lesquelles nous marchons appartiennent au Créateur. La Terre n'appartient pas à l'humanité mais c'est plutôt l'humanité qui fait partie de la Terre. Les terres ont été créées pour que chaque être vivant puisse en profiter. Ce principe se reflète dans l'accord du « bol à une seule cuillère » qui vise à prendre seulement ce dont nous avons besoin afin de préserver notre terre pour les générations futures, en laissant suffisamment aux autres en guise de respect et de bienveillance, tout en la maintenant propre par sa revitalisation, en vue des générations à venir.

L'ensemble des propriétés du Toronto Catholic District School Board se situent sur les terres traditionnelles des peuples Anishinabés, de la Confédération de Haudenosaunis, et des peuples Wendats. Nous reconnaissons que le territoire ciblé dans le Traité 13 appartient à la Première Nation des Mississaugas de Credit. Nous écoutons également les échos de leurs prières envers le Créateur et le respect de la beauté de notre Terre nourricière, tout en nous efforçant d'apprendre et de nous référer à la sagesse issue des traditions des Premières Nations, Inuit et Métis.

## **OUR MISSION**

*The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ. We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*

## **OUR VISION**

*At Toronto Catholic we transform the world through witness, faith, innovation and action.*



# AGENDA THE REGULAR MEETING OF THE GOVERNANCE AND POLICY COMMITTEE

PUBLIC SESSION  
Maria Rizzo, Chair  
Garry Tanuan, Vice Chair

Wednesday, November 6, 2024  
7:00 P.M.

---

	Pages
1. Call to Order	
2. Opening Prayer	
3. Land Acknowledgement	
4. Roll Call and Apologies	
5. Approval of the Agenda	
6. Declarations of Interest	
7. Approval and Signing of the Minutes of the Meeting held October 1, 2024	1 - 7
8. Delegations	
9. Presentation	
10. Notices of Motion	

**11. Unfinished Business**

**12. Matters referred or deferred**

From the September 19, 2024 Regular Board Meeting

- 12.a Scheduling of Monthly Meetings Requiring All Trustees (Refer Item 13b)

That this report be referred to the Governance and Policy Committee to explore how to maintain levels of governance and transparency and how to reduce the number of meetings to a more manageable level.

**13. Staff Reports**

- |      |   |           |
|------|---|-----------|
| 13.a | Trustee Code of Conduct and Trustee Honorarium                        | 8 - 116   |
| 13.b | 2025 Annual Calendar of Board and Committee Meetings (Refer Item 12a) | 117 - 126 |
| 13.c | COVID-19 Immunization Disclosure                                      | 127 - 137 |

**14. Listing of Communications**

**15. Inquiries and Miscellaneous**

**16. Updating of Pending List**

- |      |                                 |           |
|------|---------------------------------|-----------|
| 16.a | Monthly Pending List            | 138 - 145 |
| 16.b | Annual Policy Priority Schedule | 146 - 151 |

**17. Adjournment**

**OUR MISSION**

*The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ. We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*

**OUR VISION**

*At Toronto Catholic we transform the world through witness, faith, innovation and action.*



**MINUTES OF THE REGULAR MEETING OF THE  
GOVERNANCE AND POLICY COMMITTEE  
PUBLIC SESSION**

**HELD TUESDAY, OCTOBER 1, 2024**

**PRESENT:**

**Trustees:**

M. Rizzo, Chair  
G. Tanuan, Vice Chair  
N. Crawford  
A. Kennedy - Virtual  
I. Li Preti - Virtual

**Staff:**

S. Campbell  
L. Coulter  
M. Caccamo  
D. Luk  
C. Onyia  
S. Vlahos  
  
S. Harris, Recording Secretary  
S. Hinds-Barnett, Assistant Recording Secretary

**4. Roll Call and Apologies**

An apology was extended on behalf of Trustee Morrison. Trustee de Domenico was absent.

**5. Approval of the Agenda**

MOVED by Trustee Tanuan, seconded by Trustee Crawford, that the Agenda be approved.

The Motion was declared

CARRIED

**6. Declarations of Interest**

There were none.

**7. Approval and Signing of the Minutes**

MOVED by Trustee Crawford, seconded by Trustee Kennedy, that the Minutes of the Meeting held September 3, 2024 be approved.

The Motion was declared

CARRIED

**13. Staff Reports**

MOVED by Trustee Crawford, seconded by Trustee Tanuan, that Item 13a) be adopted as follows:

- 13a) Chaplaincy Program Policy Review** that the Governance and Policy Committee recommend to Board that the proposed Chaplaincy Program Policy provided in Appendix A (tracked) and Appendix B (clean) of the report be approved.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
Kennedy  
Li Preti  
Rizzo  
Tanuan

The Motion was declared

CARRIED

Trustee Rizzo relinquished the Chair to Trustee Tanuan.

MOVED by Trustee Crawford, seconded by Trustee Li Preti, that Item 13b) be adopted as follows:

**13b) Curriculum and Program Policies:**

1. That the Governance and Policy Committee approve review of the five polices and provide direction to Staff on the associated work plans including a jurisdictional scan regarding the Elementary French Programming Policy; and
2. That the Governance and Policy Committee recommend to Board that Cursive Writing Policy and Physical Activities Within the Physical and Health Education Programs Policy be rescinded.

Trustee Rizzo requested that the votes be seriatim.



Results of the Vote taken on Part 1, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
Kennedy  
Li Preti  
Tanuan

Rizzo

Part 1 of the Motion was declared

CARRIED

Results of the Vote taken on Part 2, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
Li Preti

Kennedy  
Rizzo  
Tanuan

Part 2 of the Motion was declared

FAILED

Trustee Rizzo reassumed the Chair.

MOVED by Trustee Kennedy, seconded by Trustee Crawford, that Item 13c) be adopted as follows:

- 13c) Student/School Related Concerns Policy** that the Governance and Policy Committee recommend to Board that the proposed Student/School Related Concerns Policy (Appendix A – tracked and Appendix B – clean), Protocol (Appendix C tracked and Appendix D – clean), and Family Resource (Appendix E) of the report be approved.

MOVED in AMENDMENT by Trustee Tanuan that the Governance and Policy Committee recommend consultation with all parent groups and Staff.

There was no seconder.

Results of the Vote taken on the Main Motion, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
Kennedy  
Li Preti  
Rizzo

Tanuan

The Main Motion was declared

CARRIED

**16. Updating of Pending List**

MOVED by Trustee Tanuan, seconded by Trustee Kennedy, that Items 16a) and 16b) be adopted as follows:

- 16a) Monthly Pending List** received; and

- 16b) Annual Policy Priority Schedule** received.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
Kennedy  
Li Preti  
Rizzo  
Tanuan

The Motion was declared

CARRIED

**17. Adjournment**

MOVED by Trustee Tanuan, seconded by Trustee Kennedy, that the meeting be adjourned.

Results of the Vote taken, as follows:

**In Favour**

**Opposed**

Trustees Crawford  
Kennedy  
Li Preti  
Rizzo  
Tanuan

The Motion was declared

CARRIED

---

SECRETARY

CHAIR



GOVERNANCE AND POLICY COMMITTEE

TRUSTEE CODE OF CONDUCT AND TRUSTEE HONORARIUM
Now you have observed my teaching, my conduct, my aim in life, my faith, my patience, my love, my steadfastness - 2 Timothy 3:10

Table with 2 columns: Drafted (October 24, 2024) and Meeting Date (November 6, 2024). Includes text: Aird & Berlis LLP, Interim Integrity Commissioner. RECOMMENDATION REPORT

Vision: IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope.
Mission: Nurturing the faith development and academic excellence of our Catholic learning community through the love of God, neighbour, and self.
Includes Toronto Catholic District School Board logo and Multi-Year Strategic Plan 2022 - 2025 graphic.

- Brendan Browne, Director of Education
Adrian Della Mora, Associate Director of Academic Affairs & Chief Operating Officer
Derek Boyce, Associate Director of Corporate Services and Chief Commercial Officer
Ryan Putnam, Chief Financial Officer and Treasurer

## A. EXECUTIVE SUMMARY

This Report summarises proposed revisions to the Trustee Code of Conduct (Appendix A Tracked and Appendix B Clean) and applicable appendices, Complaint Protocol (Appendix C tracked and Appendix D clean, Commentary on Trustee Code of Conduct (Appendix E tracked and Appendix F clean) and Guide to Trustee Code of Conduct Procedure (Appendix G) made by Aird & Berlis LLP, the Interim Integrity Commissioner to the Toronto Catholic District School Board (“**TCDSB**”), to reflect legislative changes coming into force on January 1, 2025 under the *Education Act*, RSO 1990, c E.2 (the “**Education Act**”) and Ontario Regulation 306/24.

The report also proposes an update to the Trustee Honorarium Policy (Appendix H tracked and Appendix I clean) to reflect legislative changes coming into force on January 1, 2025 under the *Education Act*, RSO 1990, c E.2 (the “**Education Act**”), Ontario Regulation 306/24, and to reflect the current Board policy template.

Cumulative time to date to undertake proposed revisions to Code of Conduct and related materials: approximately 30 hours.

## B. PURPOSE

Schedule 2, s. 24 of the *Better Schools and Student Outcomes Act, 2023* amends sections 218.2 and 218.3 of the *Education Act*. Along with Ontario Regulation 306/24, this legislation requires all school boards in Ontario to adopt codes of conduct, sets out the procedural requirements for bringing an allegation of a breach of the code of conduct to the applicable board of trustees and provides for an appeal mechanism of any determination or sanction imposed under the new accountability regime. Notably, under the legislative changes, the integrity commissioner is provided with the direct authority to impose sanctions (not the board of trustees itself) and there is an appeal mechanism whereby a panel of three integrity commissioners may hear an appeal of any determination by an integrity commissioner.

The legislative amendments highlighted above and in this Report will necessitate changes to the TCDSB’s Trustee Code of Conduct (the “**Code**”) and accompanying appendices, specifically, the Complaint Protocol (Appendices C and D) to the Trustee Code of Conduct (the “**Complaint Protocol**”).

As currently structured, the TCDSB’s Code and Complaint Protocol permit any “Eligible Complainant” to submit a code of conduct complaint to the Integrity Commissioner. The Integrity Commissioner then undertakes an inquiry into the complaint and makes a determination. Where the complaint is summarily dismissed, the Trustee whose conduct is in issue may not be provided notice of the complaint.

Where the complaint is sustained, the Integrity Commissioner is required to report its findings and recommended sanctions to the Board of Trustees at a meeting of the Board. In turn, the Board of Trustees is required to vote on the imposition of any sanction on a member.

There is currently no formal appeal mechanism in the *Education Act*, although a member may seek judicial review of a decision of Board of Trustees.

Pursuant to the legislative amendments coming into effect on January 1, 2025, the current regime set out in the TCDSB's Code and Complaint Protocol must be significantly amended in order to comply with amendments to the *Education Act*. These changes are highlighted below and have been inserted into the revised Code, Complaint Protocol and accompanying appendices provided in tandem with this Report.

## **C. BACKGROUND**

The TCDSB's Trustee Code of Conduct was previously amended effective August 22, 2024 to bring it into compliance with Ontario Regulation 312/24. Ontario Regulation 312/24 required the inclusion of various provisions with respect to use of TCDSB resources, the use of confidential information, gifts and other additional content in the Code.

Effective January 1, 2025, amendments to the *Education Act* and as further prescribed by Ontario Regulation 306/24 will require all school boards to adopt codes of conduct with certain minimum procedural requirements. There are three (3) major areas of change under the amendments: (1) the nature of the notice of an alleged breach of the code; (2) the integrity commissioner's ability to impose sanctions; and (3) the appeal mechanism whereby the board of trustees or individual trustee whose conduct was alleged to have breached the applicable code of conduct may appeal the integrity commissioner's determination and/or sanctions.

A detailed overview of these three areas is set out below in the analysis section of this Report.

Aird & Berlis LLP, as Interim Integrity Commissioner of the TCDSB, was asked to assist with revisions to the Code, Complaint Protocol and accompanying appendices to align these materials with the legislative amendments coming into force on January 1, 2025. As such, Aird & Berlis LLP has provided draft suggested revisions to the Code, Complaint Protocol and accompanying appendices solely to ensure that these comply with amendments to the *Education Act* and Ontario Regulation 306/24. We

have, therefore, not revised or amended other aspects of the Code of Conduct or accompanying appendices.

## D. ANALYSIS

### 1. Notice of Breach

Under the new legislative amendments, a member of a board who has reasonable grounds to believe that another member has breached the board's code of conduct may notify the board of the alleged conduct (the “**Notice**”). The Notice shall comply with prescribed requirements and, in the event the matter is not resolved within twenty (20) business days after the provision of the Notice, the matter is to be referred to the duly-appointed integrity commissioner under the *Education Act*.

We note that the current TCDSB Code and Complaint Protocol permit an “Eligible Complainant” (that is, a trustee, student, staff member or service provider of the TCDSB, a Roman Catholic elector, an Eastern Rite Catholic, a representative of an organization demonstrably interested in a TCDSB matter or any such other person demonstrably interested in a TCDSB matter) to bring a complaint forward.

Due to the nature of the requirements set out in the *Education Act* amendments, the Complaint Protocol and accompanying appendices remove the use of “Eligible Complainant” and instead only permit a Trustee to bring any notice of alleged breach to the Board.

Given that only a Trustee may bring forward notice of an alleged breach, we likewise recommend the deletion of Appendix G: Guide to Trustee Code of Conduct Procedure as this was, presumably, intended for a layperson audience under the regime that permitted an “Eligible Complainant” to bring forward a complaint.

### 2. Integrity Commissioner's Determination and Imposition of Sanctions

Pursuant to the amendments, the integrity commissioner may directly impose one or more of the following sanctions in the event that it determines a trustee has contravened a code of conduct:

- i. Censure of the member.
- ii. Requiring the board to reduce the member's honorarium by an amount not exceeding the prescribed amount, requiring the member to return any excess already paid to the member and authorizing the board to recover the excess from the member.
- iii. 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.

- iv. 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.
- v. 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.
- vi. 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.
- vii. 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.
- viii. 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.

Unlike the TCDSB's current regime, these changes will mean that the board of trustees will no longer have the power to determine and impose sanctions against a trustee in the event the integrity commissioner determines that a trustee has contravened the code of conduct. The integrity commissioner will no longer be *recommending* sanctions but will instead be imposing them directly.

### 3. Appeals

The legislative changes permit a trustee whose conduct has been determined by the integrity commissioner to contravene the code as well as the board of trustees to appeal the integrity commissioner's decision and/or sanctions. A notice of appeal must be provided within fifteen (15) business days of receiving written notice of the integrity commissioner's determination.

The appeal shall be heard of a panel of three (3) integrity commissioners, not including the original integrity commissioner who made the decision under review.

As a final area of note, the Code of Conduct contained a regulation with respect to "voting requirements" which required a 2/3 majority on any vote with respect to the imposition of a sanction. As you will note in the draft proposed revisions, we have

removed this provision in its entirety given that the Board will no longer have the ability to impose a sanction on a Trustee.

## **E. METRICS AND ACCOUNTABILITY**

The government has indicated that various areas of the code of conduct complaint and appeal process may be amended by further regulation. We recommend that any further legislative changes be monitored to evaluate whether further revisions to the Code, Complaint Protocol and applicable appendices are required.

As well, given the significant overhaul of the complaint process, the Board is now required to update its code of conduct by May 15, 2027 and then every subsequent four (4) years.

## **F. STAFF RECOMMENDATION**

We recommend that the GAP approve the revisions to the Trustee Code of Conduct (Appendix A tracked and Appendix B clean), Complaint Protocol (Appendix C tracked and Appendix D clean), Commentary on Trustee Code of Conduct (Appendix E Tracked and Appendix F) and Honorarium Policy (Appendix H Tracked and Appendix I clean), subject to the following further changes:

- No “Voting Requirement” provision be included in the Code of Conduct for the reasons set out above; and
- Guide to Trustee Code of Conduct (Appendix G) be rescinded.



**POLICY NAME:** TRUSTEE CODE OF CONDUCT  
**POLICY SECTION:** Administration and Governance  
**DATE APPROVED:** September 29, 2010  
**DATE OF NEXT REVIEW:** No later than May 15, 2027  
**DATES OF AMENDMENTS:** April 4, 2012; February 24, 2016; April 28, 2021; July 19, 2022, August 22, 2024, **November 6, 2024**  
**RESPONSIBLE DEPARTMENT:** Legal Services

Table of Contents

<b>PURPOSE</b>	<b>2</b>
<b>DEFINITIONS</b>	<b>3</b>
<b>POLICY</b>	<b>2</b>
<b>REGULATIONS</b>	<b>34</b>
1. Avoidance of Conflicts of Interest	<b>34</b>
2. Gifts, Benefits and Hospitality	<b>56</b>
3. Trustee’s Role in Funding Charitable/Community Events	<b>9</b>
4. Confidential Information	<b>11</b>
5. Use of Board Resources	<b>12</b>
6. Election Campaigns	<b>12</b>
7. Improper Use of Influence	<b>14</b>
8. Business Relations	<b>15</b>
9. Trustee Conduct	<b>15</b>
10. Media Communications	<b>16</b>
<del>11. Respect for Board By laws and Policies.</del>	<del>16</del>
<del>12.</del> <b>11.</b> Respectful Workplace	<b>17</b>
<del>13.</del> <b>12.</b> Conduct Respecting Staff	<b>17</b>

<del>14.</del> <del>13.</del> Employment of a Trustee’s Family Members and Acquaintances	18
<del>15.</del> <del>14.</del> Not Undermine, Work Against the Board’s Decisions	18
<del>16.</del> <del>15.</del> Reprisals and Obstruction	19
<del>17.</del> <del>16.</del> Acting on Advice of Integrity Commissioner	19
<del>18.</del> <del>17.</del> Implementation	20
<del>19.</del> Voting on Resolutions	20
CROSS REFERENCES	21
DEFINITIONS	21
EVALUATION AND METRICS	22

**Purpose:**

The Toronto Catholic District School Board (**the “TCDSB”**) is an inclusive, welcoming and respectful Catholic community committed to ensuring the inherent and infinite dignity and worth of every person. Recognizing every person is created in the image and likeness of God, each are deserving of respect at all times. The Board of Trustees of the Toronto Catholic District School Board (**the “Board”**) **is committed** to governance that ensures a welcoming, inclusive, and safe space for all to live, learn, work and thrive.

1. Trustees (**as defined herein**) shall serve the public and their constituents in a conscientious and diligent manner.
2. Trustees shall be committed to performing their functions with integrity impartiality and transparency.
3. Trustees shall perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.
4. There is a benefit to **school boards** when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise.
5. The policy is in alignment with TCDSB’s Multi-Year Strategic Plan (MYSP), and

reflects Catholic values rooted in the love of Christ.

~~6. If one or more changes are set out in a Board resolution under section 4(1) of Ontario Regulation 312/24, Code of Conduct will be updated to reflect changes made in the year of review.~~

~~7. of conduct.~~

## **Definitions:**

**The following terms shall have the following meanings in this Code of Conduct:**

**“Child” means a** child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;

**“Code” means the Trustee Code of Conduct.**

**“Complaint Protocol” means the complaint protocol appended to the Code at Appendix A and applies to complaints under the Code.**

**“Confidential Information” includes information or records that are in the possession, in the custody or under control of the TCDSB that the TCDSB is either precluded from being disclosed under applicable legislation, the Board’s Operating By-law or any of its other by-laws, policies, rules or procedures, or that it is required to refuse to disclose the *Municipal Freedom of Information and Protection of Privacy Act* or other legislation.**

**“Family” includes Child, Parent and Spouse, as defined herein,** and also includes:

- step-child and grand-child;
- siblings and step-siblings;
- aunt/uncle, niece/nephew, first cousins
- in-laws, including mother/father, sister/brother, daughter/son
- any person who lives with the Trustee on a permanent basis.

**“Integrity Commissioner” means the integrity commissioner as duly appointed by the Board pursuant to the *Education Act* and relevant regulations to independently carry out the functions set out therein.**

**“Parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family.**

**“Spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage.**

**“Trustee” means a person elected, acclaimed, or appointed to the office of trustee of the Board according to the provisions of the *Education Act* or the *Municipal Elections Act*.**

## Regulations:

### 1. Avoidance of Conflicts of Interest

In this Regulation:

**a. “disqualifying interest”** means an interest in a matter that, by virtue of the relationship between the Trustee and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Trustee could not participate impartially in the decision-making processes related to the matter.

**b. “non-disqualifying interest”** means an interest in a matter that, by virtue of the relationship between the Trustee and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Trustee could participate impartially in the decision-making processes related to the matter so long as:

~~The~~ **(1) the** Trustee fully discloses the interest so as to provide transparency about the relationship; and

~~The~~ **(2) the** Trustee states why the interest does not prevent the Trustee from making an impartial decision on the matter.

- i. Trustees shall not participate in the decision-making processes associated with their office when prohibited to do so by the *Municipal Conflict of Interest Act*.
- ii. Trustees shall not participate in the decision-making processes associated with their office when they have a disqualifying interest in a matter.

iii. For greater certainty:

- a. Trustees shall not participate in the decision-making processes associated with their office when they have a direct, indirect or deemed pecuniary interest in a matter, except in compliance with the *Municipal Conflict of Interest Act*.
- b. Trustees shall not participate in the decision-making processes associated with their office when they have an interest that though in compliance with the *Municipal Conflict of Interest Act*, is nevertheless a disqualifying interest by virtue of the nature of the relationship between the Trustee and other persons or bodies to be affected by the decision.

iv. Treatment of Non-Disqualifying Interests:

- a. Trustees may participate in the decision-making processes associated with their office when they have a non-disqualifying interest provided they file at their earliest opportunity a Transparency Disclosure in a form and manner established by the Director of Education acting in consultation with the Integrity Commissioner.
- b. Transparency Disclosures are public documents and shall be available for public viewing on the Board web site.
- c. The determination of whether an actual disqualifying interest or an actual non-disqualifying interest exists, when challenged, is subject to the determination by the Integrity Commissioner of whether a reasonable person fully informed of the facts would believe that the Trustee could not participate impartially in the decision-making processes related to the matter.

v. Trustees who seek advice from the Integrity Commissioner with respect to the application of this Regulation may rely on the provisions of ~~Part B. Framework and Interpretation~~ (paragraph 3) ~~and the Regulation 4716, "Acting on Advice of Integrity Commissioner."~~

vi. Trustees shall avoid any interest in any contract made by him/her in

an official capacity and shall not contract with the ~~board~~ **TCDSB** or any agency thereof for the sale and purchase of supplies, material or equipment or for the rental thereof.

- vii. Trustees while holding public office, shall not engage in an occupation or the management of a business that conflicts with their ability to diligently carry out their role as a Trustee, and shall not in any case profit directly or indirectly from such business that does or has contracted with the TCDSB.
- viii. Despite paragraph 7 vii, a Trustee may hold office or a directorship in an agency, board, commission or corporation where the Trustee has been appointed by the Board or by the Federal or Provincial Government.
- ix. Despite paragraph 7 vii, a Trustee may hold office or directorship in a charitable, service or other not-for-profit corporation subject to the Trustee disclosing all material facts to the Integrity Commissioner and obtaining a written opinion from the Integrity Commissioner approving the activity, as carried out in the specified manner, which concludes that the Trustee does not have a conflict between his/her private interest and public duty. In circumstances where the Integrity Commissioner has given the Trustee a qualified opinion, the Trustee may remedy the situation in the manner specified by the Integrity Commissioner.

## 2. Gifts, Benefits and Hospitality

In this Regulation:

“**Gift**” means money, fee, advance, payment, gift, gift certificate, promise to pay, property, travel, accommodation, entertainment, hospitality or any other personal benefit connected directly or indirectly with the performance of a Trustee’s duties of office, but excludes:

- ~~i. Compensation~~ **(1) compensation** authorized by law;
- ~~ii. Political~~ **(2) political** contributions otherwise reported by law, in the case of Trustees running for office;
- ~~iii. Services~~ **(3) services** provided by persons volunteering their time;
- ~~iv. Contributions~~ **(4) contributions** of value that are specifically addressed in other provisions of this Code;
- (5) Gifts** provided to the TCDSB and which are logged, archived



and/or publicly displayed as such.

~~b.~~**A For clarity**, a Gift provided with the Trustee's knowledge to a Family member that is connected directly or indirectly to the performance of the Trustee's duties, is deemed to be a Gift to that Trustee.

e.**"Token of Appreciation"** means such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, or which are a suitable memento of a function honouring the Trustee.

~~f.~~**"Official Hospitality"** means food, lodging, transportation and entertainment provided by Provincial, Regional and local governments or political subdivisions of them, by the Federal government or by a foreign government within a foreign country or at a conference, seminar or event where the Trustee is either speaking or attending in an official capacity at an official event (such as at meetings of Ontario Catholic Trustees' Association or conducted by providers of continuing education).

e.**"Business Hospitality"** means entertainment, food and beverages consumed at banquets, receptions or similar events, if:  
i.**(1)** attendance serves a legitimate business purpose; ~~ii.~~**(2)** the person extending the invitation or a representative of the organization is in attendance; and ~~iii.~~**(3)** the value is reasonable and the invitations infrequent.:

~~f.~~**"Publications"** means communication to the offices of a Trustee, including subscriptions to newspapers, and periodicals.

- i. A Trustee shall not accept any a Gift from any person, group, or entity that has dealings with the TCDSB if a reasonable person might conclude that the **Gift could influence the Trustee** when performing their duties, **unless (a) the Gift is of nominal value; (b) the Gift is given as an expression of courtesy or hospitality; and (c) accepting the Gift is reasonable in the circumstances.**
- ii. No Trustee shall accept any Gift involving the use of property or facilities, such as a vehicle, office, club membership or vacation property at less than reasonable market value or at no cost. Notwithstanding this prohibition, with specific approval provided by the Board, a Trustee may be sponsored to attend educational site

visits connected with an identified project.

- iii. Gifts identified in Column B of *Gift Treatment and Disclosure Table* may be accepted by a Trustee provided the Gift is disclosed in accordance with the conditions set out in Column 'C'.
- iv. Gift Disclosure, where required, is to be accomplished by filing within 30 days of receipt of the gift or reaching the annual limit, a Trustee Information Statement in a form prescribed by the Integrity Commissioner and providing same to the Board Recording Secretary for posting on the Board's web site.
- v. Gifts identified in Column B shall not be accepted, without the Integrity Commissioner's specific approval, when the conditions set out in Column 'D' are applicable.
- vi. In providing advice to a Trustee about their obligations respecting Gifts, or in considering any inquiry with respect to a Trustee Information Statement or an assertion that this Regulation has been breached, or in providing consent, where required, that a Gift may be accepted, the Integrity Commissioner shall determine whether the receipt of the Gift might, in the opinion of the Integrity Commissioner, create a conflict between a private interest and the public duty of the Trustee. In the event that the Integrity Commissioner makes that preliminary determination, they shall call upon the Trustee to justify receipt of the gift or benefit.
- vii. Should the Integrity Commissioner determine the receipt of a Gift was inappropriate, the Integrity Commissioner may direct the Trustee to return the gift, reimburse the donor for the value of any gift or benefit already consumed, or the Integrity Commissioner may order the Trustee to forfeit the gift or remit the value of any gift or benefit already consumed to the TCDSB. Any such direction ordered by the Integrity Commissioner shall be a matter of public record.

Gift Treatment and Disclosure			
A	B	C	D
Type of Gift	Examples	<u>Gift Disclosure</u> <i>Apparent Value at which Gift, or the <b>cumulative</b> value from one source in a calendar year is disclosable</i>	<u>Gift No Longer Allowable</u> <i>Condition or Actual Value beyond which gift is not allowable (Value assessed on basis of single Gift or cumulative Gift value from one source in calendar year) (without Integrity Commissioner approval)</i>
Token of Appreciation	Plaques, Pens, Mugs, Vase, Event Photos, and similar	No need to record - Deemed Zero Value	Actual Value of a single gift is over \$100 (allowable with IC approval)
	Perishable (includes flowers, food)	No need to record - Deemed Zero Value	Excludes Alcohol with actual value over \$100
	Gift to Board	Not a 'Gift'. No need to record. Board staff to record and take possession unless otherwise on public display. Deemed Zero Value	N/A
Course of Business	Publications	No need to record - Deemed Zero Value	N/A
	Art	\$100	\$100
	Business Meals	\$100	\$100
	Business Hospitality	\$100	\$250 More than two Event Tickets (Golf, Gala, Sporting, Entertainment) per event More than one event per year from the same person or organization (allowable with IC approval)
	Office Hospitality	\$100	No limit

### 3. Trustee's Role in Funding Charitable/Community Events

There are a range of expenses that support a Trustee's role in community development and engagement activities within their ward. For federal and provincial elected officials, these expenses are often paid for by Riding

Association funds. Locally-elected officials do not have this benefit. Trustees should refer to the *Trustee Services and Expenditures Policy T.17* for guidance of expenses eligible for reimbursement.

- i. As community leaders, Trustees may lend their support to and encourage community donations to registered charitable, not-for-profit and other community-based groups. Monies raised through fundraising efforts shall go directly to the groups or volunteers or chapters acting as local organizers of the group and Trustees should not handle any funds on behalf of such organizations. Trustees routinely perform important work in supporting charitable causes and in so doing, there is a need for transparency respecting the Trustee's involvement. The following guidelines shall apply:
  - a. Trustees should not directly or indirectly manage or control any monies received relating to community or charitable organizations fundraising;
  - b. Trustees or persons acting on behalf of a Trustee shall not solicit or accept support in any form from an individual, group or corporation, with any pending significant matter or procurement proposal before the Board, which the Trustee knew or ought to have known about;
  - c. With reference to member-organized community events, Trustees must report to the Integrity Commissioner, the names of all donors and the value of their donation that supplement the event;
  - d. Where a Trustee sponsors and/or lends support to a community or charitable event, this Code recognizes that all donations are subject to the *Trustee Services and Expenditures Policy T.17*;
  - e. No donation cheques should be made payable to a Trustee. Trustees may only accept donation cheques made payable to a Business Improvement Association, charity or community group and only for the purpose of passing the cheques on to such group;
  - f. Trustees should not handle any cash on behalf of any charitable organization, not-for-profit or community group,

and should always remain at arm's length from the financial aspects of these community and external events. If a Trustee agrees to fundraise on behalf of a charity or community group, the Trustee should not handle any cash on behalf of any charitable organization, not-for-profit or community group, and should always remain at arm's length from the financial aspects of these community and external events. If a Trustee agrees to fundraise on behalf of a charity or community group, the Trustee should ensure that payment is received by a means that does not involve cash, including bank draft, money order, credit card or cheque made payable to the applicable group or organization.

- ii. Nothing included herein affects the entitlement of a Trustee to:
  - a. urge constituents, businesses or other groups to support community events and advance the needs of a charitable organization put on by others in the Trustee's ward or elsewhere in the City of Toronto;
  - b. play an advisory ex officio or honorary role in any charitable or non-profit organization that holds community events in the Trustees' ward; and c) collaborate with the TCDSB and its affiliates to hold community events.
  - c. collaborate with the TCDSB and its affiliates to hold community events.

#### 4. Confidential Information

- i. **No Trustee shall use or disclose Confidential Information** obtained or made available to them in their role as **Trustee except as authorized by law or by the Board.**
- ii. **No Trustee** shall use information described in 4.i in a manner that would be detrimental to the interests of the **TCDSB or the Board** or for the purpose of personal gain or for the gain of the **Trustee's Family.**
- iii. No Trustee shall disclose the content of any such matter, or the substance of deliberations, of an in-camera meeting until the Board discusses the information at a meeting that is open to the public or releases the information to the public.

~~ii. No Trustee shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by law or authorized by the Board to do so.~~

~~iii. No Trustee shall use or disclose confidential information trustee except as authorized by law or by the board. For clarity, this includes use or disclosure to anyone or entity, including use or disclosure for personal or private gain, or for the gain of Family members or any person or corporation.~~

~~iv. No trustee.iii board member's parent, spouse or child.~~

i. ~~v.~~No Trustee shall directly or indirectly benefit, or aid others to benefit, from knowledge respecting bidding on the sale of Board **TCDSB** property or assets.

ii. Trustees shall not access or attempt to gain access to ~~confidential information~~ **Confidential Information** in the custody of the Board **TCDSB** unless it is necessary for the performance of their duties and is not prohibited by Board policy.

## 5. Use of Board Resources

i. No Trustee shall use or permit the use of ~~board~~ **TCDSB** resources for any purpose than the business of the ~~board~~ **Board**.

ii. No Trustee shall obtain personal financial gain from the use or sale of ~~board~~ **TCDSB** developed intellectual property (for example, inventions, creative writings and drawings), computer programs, technical innovations or any other item capable of being patented. Trustees acknowledge and do not dispute that all such property remains exclusively that of the TCDSB.

iii. No Trustee shall use information gained in the execution of his or her duties that is not available to the general public, for any purposes other than his or her official duties.

iv. No Trustee shall use the services of Board staff, or make requests for documents or information from Board staff, unless such information is required for the purpose of carrying out their duties as public officials.

- v. No Trustee shall include in his or her website, newsletters, E-mails or other printed material, advertising of businesses in the Board, including the distribution of gift certificates, free tickets or a compiled list of businesses located in a ward.

## 6. Election Campaigns

- i. Trustees are required to follow the provisions of the *Municipal Elections Act*, 1996 and Trustees are accountable under the provisions of that statute.
- ii. No Trustee shall use the facilities, equipment, supplies, services, staff or other resources of the Board **TCDSB** (including the Board's **TCDSB** newsletters, individual websites linked through the Board's **TCDSB** website and social media accounts used for ward communication) for any election campaign or campaign-related activities and all such sites shall not use the TCDSB logo.
  - a. If a ~~member of the Board~~ **Trustee** uses any social media account for campaign purposes, such account must not be created or supported by Board **TCDSB** resources or use the TCDSB logo. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers.
  - b. To avoid confusion with any website or social media accounts used for the Trustee's work, Trustees who choose to create or use social media accounts for campaign communications must include, for the duration of the campaign, a clear statement on each campaign website or social media account's home page indicating that the account is being used for election campaign purposes.
  - c. Trustees are allowed to place campaign phone numbers, websites and E-mail addresses on election pages on the Board **TCDSB** website. All of which is available and authorized for all candidates for ~~school~~ Board office.
- iii. In a municipal election year, commencing July 2, until the date of the election, Trustees may not publish newsletters or distribute newsletters in TCDSB facilities. All newsletters distributed through the mail must be post- marked by no later than May 1 (alternate July

- 2) in an election year. Trustees may, during such period, use **Board TCDSB** facilities to communicate important notifications to separate school supporters in their ward by E-mail or by letter on the Trustee's usual letterhead.
- iv. In a municipal election year, commencing on July 2, until the date of the election, no candidate, including Trustees, may directly or indirectly book any TCDSB facility for any purpose that might be perceived as an election campaign purpose.
  - v. No Trustees shall use the services of persons for campaign related Activities during hours in which those persons receive any compensation from the **Board TCDSB**. ~~vi. The Integrity Commissioner may at any time be consulted with regard to complying with any part of Regulation 6~~

## 7. Improper Use of Influence

- i. No Trustee shall use the influence of their office for any purpose other than for the exercise of their official duties.
- ii. If the **Board TCDSB** has taken a position in an Ontario ~~Municipal Board/Local Planning Appeal~~ **Land** Tribunal (“~~OMB/LPAT~~ **OLT**”) matter and instructed ~~the Board's~~ legal counsel to appear at a hearing in support of such position, no ~~member of the Board~~ **Trustee** who disagrees with such position shall give evidence at such hearing or otherwise work against the will of the **Board TCDSB** in such matter. With the consent of the lawyer assigned to represent the Board at an ~~OMB/LPAT~~ **OLT** hearing, a ~~member of the Board~~ **Trustee** who is in support of the Board instructions to such lawyer, may give evidence at an ~~OMB/LPAT~~ **OLT** hearing. Notwithstanding the above, if the ~~OMB/LPAT~~ **OLT** has decided to mediate a dispute between parties in a matter, any member of the Board may offer his or her services to assist with such mediation regardless of his or her position in the matter and participate, if approved by the ~~OMB/LPAT~~ **OLT** mediator.
- iii. ~~ii.~~ Pursuant to section 283 of the *Education Act*, the Director of Education is the ~~CEO~~ **chief education officer and chief executive officer** of the **Board TCDSB** and has exclusive authority to direct ~~Board~~ staff. The Board, and not individual Trustees



appropriately, give direction to the Director of Education.

- iv. ~~iii.~~ No Trustee shall use his or her position, authority or influence for personal, financial or material gain or personal business purposes or for the personal, financial or material gain or business purposes of a relative **Family member**, friend and/or business associate. Every Trustee shall uphold and enhance all ~~Board~~ **TCDSB** business operations by:
- a. maintaining an unimpeachable standard of integrity in all their relationships, both inside and outside the ~~Board~~ **TCDSB**;
  - b. fostering the highest standard of professional competence amongst those for whom they are responsible;
  - c. complying with and being seen to comply **with** the letter and spirit of: **(1)** The laws of Canada and the Province of Ontario; **and (2)** Contractual obligations applicable to the Board; and
  - d. rejecting and denouncing any business practice that is improper or inappropriate or may appear to be improper or inappropriate.

## 8. Business Relations

- i. No Trustee shall allow the prospect of his/her future employment by a person or entity to affect the performance of their duties ~~to the Board~~, detrimentally or otherwise.
- ii. No Trustee shall borrow money from any person who regularly does business with the ~~Board~~ **TCDSB** unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money, such as a credit union.
- iii. No Trustee shall act as a paid agent before the Board or a committee of the Board or any agency, board or committee of the ~~Board~~ **TCDSB**.
- iv. No Trustee shall refer a third party to a person, partnership or corporation in exchange for payment or other personal benefit.

## 9. Trustee Conduct

- i. Trustees shall comply with the ~~board's code of conduct~~ **Code** and any applicable ~~Board~~ **TCDSB** by-law, resolution, policy or procedure.
- ii. When acting or holding themselves out as ~~trustee~~ **member of the Board**, the ~~trustee~~ **Trustee** shall conduct themselves in a manner that would not discredit or compromise the integrity of the ~~board~~ **TCDSB**.
- iii. When acting or holding themselves out as a ~~trustee~~ **member of the Board**, the ~~trustee~~ **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.
- iv. ~~Conduct at~~ Trustees shall encourage public respect for the **TCDSB**, the Board and ~~Committee Meetings~~ **its by-laws**.
- v. **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.
- vi. ~~Trustees~~ shall conduct themselves at the Board and committee meetings with decorum in accordance with the provisions of the Board's Operating By-law.
- vii. ~~Trustees~~ shall endeavour to conduct and convey the Board's business and all their duties in an open and transparent manner (other than for those decisions which by virtue of legislation are authorized to be dealt with in a confidential manner in closed session), and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- viii. ~~Trustees~~ shall make every effort to participate diligently in the activities of the committees, agencies, boards, commissions and advisory committees to which they are appointed by the Board or by virtue of being an elected official.
- ix. ~~Trustees shall conduct themselves with the appropriate decorum at all times~~ **Trustees shall uphold the implementation of any Board**

**resolution after it is passed by the Board.**

## 10. Media Communications

- i. ~~No board member~~ **Trustee** shall act as a spokesperson to the public on behalf of the ~~board~~ **TCDSB or the Board** unless authorized to do so.
- ii. Trustees will accurately communicate the decisions of the ~~Toronto Catholic District School~~ Board, even if they disagree with the majority decision of the Board, and by so doing affirm the respect for and integrity in the decision-making processes of the Board.
- iii. ~~Trustees will keep confidential information confidential, until such a time as the matter can be properly made public.~~ In all media communications, including social media, Trustees will treat each other, staff and members of the public with decorum, dignity and respect, and shall avoid messaging that amounts to abuse, bullying or intimidation.

## 11. ~~Respect for Board By-laws and Policies~~

- ~~i. Trustees Board and its bylaws~~
- ~~ii. Trustees shall adhere to such by-laws, policies and procedures adopted by the Board that are applicable to them.~~

## 11. ~~12.~~ Respectful Workplace

- i. Trustees are governed by the Board's *Harassment and Discrimination Policy H.M.14* **(or any successor policy)**. All Trustees have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation and to ensure that their work environment is free from discrimination and harassment.
- ii. All complaints received involving Trustees under the *Harassment and Discrimination Policy H.M.14*. **(or any successor policy)** shall be referred to the Integrity Commissioner ~~for processing~~ in accordance with both the said policy and the ~~Trustees Code of Conduct Complaints Protocol~~.
- ~~iii. No trustee code of conduct under subsection 218.3 (1) of the Act~~

- ~~iv. No trustee shall engage in reprisal or the threat of reprisal against:~~
- ~~• a member the code of conduct under, or~~
  - ~~• any person who provides information to an integrity commissioner appointed to investigate.~~
- iv. ~~v.~~The Ontario Human Rights Code applies in addition to the Board's *Harassment and Discrimination Policy H.M.14* **(or any successor policy).**

### **12. 13. Conduct Respecting Staff**

- i. No Trustee shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities.
- ii. No Trustee shall use, or attempt to use, their authority for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intent of interfering in staff's duties, including the duty to disclose improper activity.
- iii. Trustees shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual Trustee or faction of the Board.
- iv. No Trustee shall maliciously or falsely impugn or injure the professional or ethical reputation or the prospects or practice of staff, and all Trustees shall show respect for the professional capacities of the staff of the Board **TCDSB.**

### **13. 14. Employment of a Trustee's Relatives/Family Members and Acquaintances**

- i. No Trustee shall attempt to influence the outcome of a recruitment process to favour a friend, Family member or other relative of the Trustee.
- ii. No Trustees shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any Family member.
- iii. No Trustee shall supervise a Family member, or be placed in a

position of influence over a Family member.

- iv. No Trustee shall attempt to use a Family relationship for his or her personal benefit or gain.
- v. Every Trustee shall adhere to the Board's Fair Practice in *Hiring and Promotion H.M.11* policy.

#### **14. 45. Not Undermine, Work Against the Board's Decisions**

- i. Trustees shall not actively undermine the implementation of the Board's decisions.
- ii. Trustees shall not engage in litigation or other legal challenges against the TCDSB or the Board's decisions. Despite this provision:
  - a. Members may pursue a complaint or request for investigation under a statutory scheme dealing with requirements for open and transparent processes, access to information, the protection of privacy, or the protection of human rights;
  - b. Members are not restricted from participating in litigation or other legal challenges if they are uniquely impacted by the decision, such as when ~~the Board~~ **a sanction** has **been imposed a penalty or reprimand following a report of** **by** the Integrity Commissioner;
  - c. Members are not restricted from participating in litigation or other legal challenges if they did not participate, and were not entitled to participate, in the deliberations and respective decision of the Board, or in regard to which the Board has made a decision in regard to their interests, in circumstances where they are uniquely impacted by the decision.
- iii. Despite this Regulation, Trustees may seek to have a Board decision reconsidered in accordance with the Board's Operating By-law.

#### **15. 46. Reprisals and Obstruction**

- i. It is a violation of the *Trustee Code of Conduct* to obstruct the Integrity Commissioner in the carrying out of their responsibilities.

- ii. No Trustee shall ~~threaten or undertake any active~~ **engage in reprisal or the threat of** reprisal against a person:
  - a. **an individual** initiating an inquiry or ~~complaint under~~ who gave notice of an alleged breach of the ~~Trustee Code of Conduct~~ **pursuant to the requirements set out in the Complaint Protocol appended at Appendix A;** or
  - b. **any** person who provides information about the alleged breach to the Integrity Commissioner ~~in any investigation.~~
- iii. It is a violation of the ~~Trustee Code of Conduct~~ to destroy documents or erase electronic communications or refuse to respond to the Integrity Commissioner where a formal complaint has been lodged under the Code's ~~of Conduct's~~ **Complaint Protocol.**

#### **16.17. Acting on Advice of Integrity Commissioner**

- i. **A Trustee is entitled to seek the advice of the Integrity Commissioner with respect to their own obligations under the Code of Conduct or any ethical policy, procedure or rule.**
- ii. Any written advice given by the Integrity Commissioner to a Trustee binds the Integrity Commissioner in any subsequent consideration of the conduct of the Trustee in the same matter, as long as all the relevant facts were disclosed to the Integrity Commissioner, and the Trustee adhered to the advice given.

#### **17.18. Implementation**

- i. Trustees are expected to formally and informally review their adherence to the Code on a regular basis or when so requested by the Board.
- ii. At the beginning of each term, Trustees will be expected to meet with the Integrity Commissioner and/or attend training conducted by the Integrity Commissioner.
- iii. The ~~Trustee Code of Conduct~~ applies to a Student Trustee elected to serve on the Board pursuant to Section 55 of the *Education Act* and the Regulations made thereunder, provided that:
  - a. In giving broad, liberal interpretation to any provision of the

~~Trustee Code of Conduct~~ any necessary changes shall be inferred given the context and role of a Student Trustee

- b. Regulation 6, Election Campaigns, does not apply to Student Trustees; and
- c. Any complaint regarding whether a Student Trustee breached the Code of Conduct shall be administered by the appropriate Board personnel responsible for student discipline and not the Integrity Commissioner, however the Integrity Commissioner may be consulted for guidance on the liberal interpretation and application of the ~~Trustee Code of Conduct~~.

### **19. Voting on Resolutions**

~~This Regulation pertains to any Board of Trustee resolutions made in accordance with, and pursuant to, Article 2.10.10 of the Board's Operating By law, Number 175 (as amended at April 21, 2016).~~

~~This Regulation provides that with respect to resolutions on the things identified in Article 2.10.10 of the Board's Operating By law, the required vote on any resolutions of determinations or sanctions will be made by a 2/3 majority of all Trustees on the Board, not including the accused Trustee.~~

#### **Cross References:**

##### Ministry of Education Policy/Program Memorandum

- Education Act, R.S.O. 1990, c. E.2
- Municipal Act, 2001, S.O. 2001, c. 25
- Municipal Conflict of Interest Act, R.S.O. 1990, c. M50 (MCIA)
- Municipal Elections Act, 1996, SO 1996, c. 32
- Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. M.56 (MFIPPA)
- Criminal Code of Canada R.S.S., 1985, c. C-46
- Human Rights Code, R.S.O. 1990, c. H. 19

##### TCDSB Policy /Procedure

- *Harassment and Discrimination Policy*
- *Fair Practice in Hiring and Promotion Policy*
- *Communications*
- *Trustee Services and Expenditures Policy*
- *Trustee Honorarium*
- ~~*Code of Conduct*~~

## **Definitions:**

### **Family**

Includes “child”, “parent” and “spouse” as those terms are defined in the *Municipal Conflict of Interest Act* (set out below for ease of reference)

### **Child**

A-

### **Nomination Day**

The last day for filing or withdrawing a nomination as provided for by the 1996.

## **Evaluation and Metrics:**

The policy will be reviewed as required and in accordance with the timelines outlined in Ontario Regulation 312/24 as follows:

- The next review of ~~to~~ **the Code shall** be completed no later than May 15, 2027.
- ~~each~~ Each subsequent review will be completed every four (4) years and no later than May 15 in the year of review.
- **Where changes are made to the Code by resolution of the Board, the Board shall update the Code by no later than August 31 of the year of the review.**
- **This Code of Conduct will be publicly available on the Board’s website and indicate the effective date of every change made to the Code (other than changes of a typographical or similar nature).**
- The Board will maintain an archive of all previous versions of its Code, indicating the period during which each version applied, and shall ensure that the versions are publicly accessible.





<b>POLICY NAME:</b>	<b>TRUSTEE CODE OF CONDUCT</b>
POLICY SECTION:	Administration and Governance
DATE APPROVED:	September 29, 2010
DATE OF NEXT REVIEW:	No later than May 15, 2027
DATES OF AMENDMENTS:	April 4, 2012; February 24, 2016; April 28, 2021; July 19, 2022, August 22, 2024, November 6, 2024
RESPONSIBLE DEPARTMENT:	Legal Services

**Table of Contents**

<b>PURPOSE</b>	<b>2</b>
<b>DEFINITIONS</b>	<b>3</b>
<b>REGULATIONS</b>	<b>4</b>
1. Avoidance of Conflicts of Interest	4
2. Gifts, Benefits and Hospitality	6
3. Trustee’s Role in Funding Charitable/Community Events	9
4. Confidential Information	11
5. Use of Board Resources	12
6. Election Campaigns	12
7. Improper Use of Influence	14
8. Business Relations	15
9. Trustee Conduct	15
10. Media Communications	16
11. Respectful Workplace	17
12. Conduct Respecting Staff	17
13. Employment of a Trustee’s Family Members and Acquaintances	18

14. Not Undermine, Work Against the Board’s Decisions	18
15. Reprisals and Obstruction	19
16. Acting on Advice of Integrity Commissioner	19
17. Implementation	20
CROSS REFERENCES	21
EVALUATION AND METRICS	22

**Purpose:**

The Toronto Catholic District School Board (the “TCDSB”) is an inclusive, welcoming and respectful Catholic community committed to ensuring the inherent and infinite dignity and worth of every person. Recognizing every person is created in the image and likeness of God, each are deserving of respect at all times. The Board of Trustees of the Toronto Catholic District School Board (the “Board”) is committed to governance that ensures a welcoming, inclusive, and safe space for all to live, learn, work and thrive.

1. Trustees (as defined herein) shall serve the public and their constituents in a conscientious and diligent manner.
2. Trustees shall be committed to performing their functions with integrity impartiality and transparency.
3. Trustees shall perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.
4. There is a benefit to school boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise.
5. The policy is in alignment with TCDSB’s Multi-Year Strategic Plan (MYSP), and reflects Catholic values rooted in the love of Christ.

## Definitions:

The following terms shall have the following meanings in this Code of Conduct:

“**Child**” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;

“**Code**” means the Trustee Code of Conduct.

“**Complaint Protocol**” means the complaint protocol appended to the Code at Appendix A and applies to complaints under the Code.

“**Confidential Information**” includes information or records that are in the possession, in the custody or under control of the TCDSB that the TCDSB is either precluded from being disclosed under applicable legislation, the Board’s Operating By-law or any of its other by-laws, policies, rules or procedures, or that it is required to refuse to disclose the *Municipal Freedom of Information and Protection of Privacy Act* or other legislation.

“**Family**” includes Child, Parent and Spouse, as defined herein, and also includes:

- step-child and grand-child;
- siblings and step-siblings;
- aunt/uncle, niece/nephew, first cousins
- in-laws, including mother/father, sister/brother, daughter/son
- any person who lives with the Trustee on a permanent basis.

“**Integrity Commissioner**” means the integrity commissioner as duly appointed by the Board pursuant to the *Education Act* and relevant regulations to independently carry out the functions set out therein.

“**Parent**” means a person who has demonstrated a settled intention to treat a child as a member of his or her family.

“**Spouse**” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage.

“**Trustee**” means a person elected, acclaimed, or appointed to the office of

trustee of the Board according to the provisions of the *Education Act* or the *Municipal Elections Act*.

## Regulations:

### 1. Avoidance of Conflicts of Interest

In this Regulation:

**“disqualifying interest”** means an interest in a matter that, by virtue of the relationship between the Trustee and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Trustee could not participate impartially in the decision-making processes related to the matter.

**“non-disqualifying interest”** means an interest in a matter that, by virtue of the relationship between the Trustee and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Trustee could participate impartially in the decision-making processes related to the matter so long as: (1) the Trustee fully discloses the interest so as to provide transparency about the relationship; and (2) the Trustee states why the interest does not prevent the Trustee from making an impartial decision on the matter.

- i. Trustees shall not participate in the decision-making processes associated with their office when prohibited to do so by the *Municipal Conflict of Interest Act*.
- ii. Trustees shall not participate in the decision-making processes associated with their office when they have a disqualifying interest in a matter.
- iii. For greater certainty:
  - a. Trustees shall not participate in the decision-making processes associated with their office when they have a direct, indirect or deemed pecuniary interest in a matter, except in compliance with the *Municipal Conflict of Interest Act*.

- b. Trustees shall not participate in the decision-making processes associated with their office when they have an interest that though in compliance with the *Municipal Conflict of Interest Act*, is nevertheless a disqualifying interest by virtue of the nature of the relationship between the Trustee and other persons or bodies to be affected by the decision.
- iv. Treatment of Non-Disqualifying Interests:
  - a. Trustees may participate in the decision-making processes associated with their office when they have a non-disqualifying interest provided they file at their earliest opportunity a Transparency Disclosure in a form and manner established by the Director of Education acting in consultation with the Integrity Commissioner.
  - b. Transparency Disclosures are public documents and shall be available for public viewing on the Board web site.
  - c. The determination of whether an actual disqualifying interest or an actual non-disqualifying interest exists, when challenged, is subject to the determination by the Integrity Commissioner of whether a reasonable person fully informed of the facts would believe that the Trustee could not participate impartially in the decision-making processes related to the matter.
- v. Trustees who seek advice from the Integrity Commissioner with respect to the application of this Regulation may rely on the provisions Regulation 16, "Acting on Advice of Integrity Commissioner."
- vi. Trustees shall avoid any interest in any contract made by him/her in an official capacity and shall not contract with the TCDSB or any agency thereof for the sale and purchase of supplies, material or equipment or for the rental thereof.
- vii. Trustees while holding public office, shall not engage in an occupation or the management of a business that conflicts with their ability to diligently carry out their role as a Trustee, and shall not in any case profit directly or indirectly from such business that does or has contracted with the TCDSB.

- viii. Despite paragraph vii, a Trustee may hold office or a directorship in an agency, board, commission or corporation where the Trustee has been appointed by the Board or by the Federal or Provincial Government.
- ix. Despite paragraph vii, a Trustee may hold office or directorship in a charitable, service or other not-for-profit corporation subject to the Trustee disclosing all material facts to the Integrity Commissioner and obtaining a written opinion from the Integrity Commissioner approving the activity, as carried out in the specified manner, which concludes that the Trustee does not have a conflict between his/her private interest and public duty. In circumstances where the Integrity Commissioner has given the Trustee a qualified opinion, the Trustee may remedy the situation in the manner specified by the Integrity Commissioner.

## 2. Gifts, Benefits and Hospitality

In this Regulation:

“**Gift**” means money, fee, advance, payment, gift, gift certificate, promise to pay, property, travel, accommodation, entertainment, hospitality or any other personal benefit connected directly or indirectly with the performance of a Trustee’s duties of office, but excludes: (1) compensation authorized by law; (2) political contributions otherwise reported by law, in the case of Trustees running for office; (3) services provided by persons volunteering their time; (4) contributions of value that are specifically addressed in other provisions of this Code; (5) Gifts provided to the TCDSB and which are logged, archived and/or publicly displayed as such. For clarity, a Gift provided with the Trustee’s knowledge to a Family member that is connected directly or indirectly to the performance of the Trustee’s duties, is deemed to be a Gift to that Trustee.

“**Token of Appreciation**” means such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, or which are a suitable memento of a function honouring the Trustee.

“**Official Hospitality**” means food, lodging, transportation and entertainment provided by Provincial, Regional and local

governments or political subdivisions of them, by the Federal government or by a foreign government within a foreign country or at a conference, seminar or event where the Trustee is either speaking or attending in an official capacity at an official event (such as at meetings of Ontario Catholic Trustees' Association or conducted by providers of continuing education).

**“Business Hospitality”** means entertainment, food and beverages consumed at banquets, receptions or similar events, if: (1) attendance serves a legitimate business purpose; (2) the person extending the invitation or a representative of the organization is in attendance; and (3) the value is reasonable and the invitations infrequent.

**“Publications”** means communication to the offices of a Trustee, including subscriptions to newspapers, and periodicals.

- i. A Trustee shall not accept any a Gift from any person, group, or entity that has dealings with the TCDSB if a reasonable person might conclude that the Gift could influence the Trustee when performing their duties, unless (a) the Gift is of nominal value; (b) the Gift is given as an expression of courtesy or hospitality; and (c) accepting the Gift is reasonable in the circumstances.
- ii. No Trustee shall accept any Gift involving the use of property or facilities, such as a vehicle, office, club membership or vacation property at less than reasonable market value or at no cost. Notwithstanding this prohibition, with specific approval provided by the Board, a Trustee may be sponsored to attend educational site visits connected with an identified project.
- iii. Gifts identified in Column B of *Gift Treatment and Disclosure Table* may be accepted by a Trustee provided the Gift is disclosed in accordance with the conditions set out in Column ‘C’.
- iv. Gift Disclosure, where required, is to be accomplished by filing within 30 days of receipt of the gift or reaching the annual limit, a Trustee Information Statement in a form prescribed by the Integrity Commissioner and providing same to the Board Recording Secretary for posting on the Board’s web site.
- v. Gifts identified in Column B shall not be accepted, without the Integrity Commissioner’s specific approval, when the conditions set

out in Column 'D' are applicable.

- vi. In providing advice to a Trustee about their obligations respecting Gifts, or in considering any inquiry with respect to a Trustee Information Statement or an assertion that this Regulation has been breached, or in providing consent, where required, that a Gift may be accepted, the Integrity Commissioner shall determine whether the receipt of the Gift might, in the opinion of the Integrity Commissioner, create a conflict between a private interest and the public duty of the Trustee. In the event that the Integrity Commissioner makes that preliminary determination, they shall call upon the Trustee to justify receipt of the gift or benefit.
- vii. Should the Integrity Commissioner determine the receipt of a Gift was inappropriate, the Integrity Commissioner may direct the Trustee to return the gift, reimburse the donor for the value of any gift or benefit already consumed, or the Integrity Commissioner may order the Trustee to forfeit the gift or remit the value of any gift or benefit already consumed to the TCDSB. Any such direction ordered by the Integrity Commissioner shall be a matter of public record.

<b>Gift Treatment and Disclosure</b>			
A	B	C	D
Type of Gift	Examples	<u>Gift Disclosure</u> <i>Apparent Value at which Gift, or the <b>cumulative</b> value from one source in a calendar year is disclosable</i>	<u>Gift No Longer Allowable</u> <i>Condition or Actual Value beyond which gift is not allowable (Value assessed on basis of single Gift or cumulative Gift value from one source in calendar year) (without Integrity Commissioner approval)</i>
Token of Appreciation	Plaques, Pens, Mugs, Vase, Event Photos, and similar	No need to record - Deemed Zero Value	Actual Value of a single gift is over \$100 (allowable with IC approval)
	Perishable (includes flowers, food)	No need to record - Deemed Zero Value	Excludes Alcohol with actual value over \$100



<b>Gift Treatment and Disclosure</b>			
A	B	C	D
	Gift to Board	Not a 'Gift'. No need to record. Board staff to record and take possession unless otherwise on public display. Deemed Zero Value	N/A

Course of Business	Publications	No need to record - Deemed Zero Value	N/A
	Art	\$100	\$100
	Business Meals	\$100	\$100
	Business Hospitality	\$100	\$250 More than two Event Tickets (Golf, Gala, Sporting, Entertainment) per event More than one event per year from the same person or organization (allowable with IC approval)
	Office Hospitality	\$100	No limit

### 3. Trustee’s Role in Funding Charitable/Community Events

There are a range of expenses that support a Trustee’s role in community development and engagement activities within their ward. For federal and provincial elected officials, these expenses are often paid for by Riding Association funds. Locally-elected officials do not have this benefit. Trustees should refer to the *Trustee Services and Expenditures Policy T.17* for guidance of expenses eligible for reimbursement.

- i. As community leaders, Trustees may lend their support to and encourage community donations to registered charitable, not-for-profit and other community-based groups. Monies raised through fundraising efforts shall go directly to the groups or volunteers or chapters acting as local organizers of the group and Trustees should not handle any funds on behalf of such organizations. Trustees routinely perform important work in supporting charitable causes and in so doing, there is a need for transparency respecting the Trustee’s involvement. The following guidelines shall apply:
  - a. Trustees should not directly or indirectly manage or control any monies received relating to community or charitable organizations fundraising;
  - b. Trustees or persons acting on behalf of a Trustee shall not solicit or accept support in any form from an individual,

group or corporation, with any pending significant matter or procurement proposal before the Board, which the Trustee knew or ought to have known about;

- c. With reference to member-organized community events, Trustees must report to the Integrity Commissioner, the names of all donors and the value of their donation that supplement the event;
  - d. Where a Trustee sponsors and/or lends support to a community or charitable event, this Code recognizes that all donations are subject to the *Trustee Services and Expenditures Policy T.17*;
  - e. No donation cheques should be made payable to a Trustee. Trustees may only accept donation cheques made payable to a Business Improvement Association, charity or community group and only for the purpose of passing the cheques on to such group;
  - f. Trustees should not handle any cash on behalf of any charitable organization, not-for-profit or community group, and should always remain at arm's length from the financial aspects of these community and external events. If a Trustee agrees to fundraise on behalf of a charity or community group, the Trustee should not handle any cash on behalf of any charitable organization, not-for-profit or community group, and should always remain at arm's length from the financial aspects of these community and external events. If a Trustee agrees to fundraise on behalf of a charity or community group, the Trustee should ensure that payment is received by a means that does not involve cash, including bank draft, money order, credit card or cheque made payable to the applicable group or organization.
- ii. Nothing included herein affects the entitlement of a Trustee to:
- a. urge constituents, businesses or other groups to support community events and advance the needs of a charitable organization put on by others in the Trustee's ward or elsewhere in the City of Toronto;

- b. play an advisory ex officio or honorary role in any charitable or non- profit organization that holds community events in the Trustees' ward; and c) collaborate with the TCDSB and its affiliates to hold community events.
- c. collaborate with the TCDSB and its affiliates to hold community events.

#### **4. Confidential Information**

- i. No Trustee shall use or disclose Confidential Information obtained or made available to them in their role as Trustee except as authorized by law or by the Board.
- ii. No Trustee shall use information described in 4.i in a manner that would be detrimental to the interests of the TCDSB or the Board or for the purpose of personal gain or for the gain of the Trustee's Family.
- iii. No Trustee shall disclose the content of any such matter, or the substance of deliberations, of an in-camera meeting until the Board discusses the information at a meeting that is open to the public or releases the information to the public.
- i. No Trustee shall directly or indirectly benefit, or aid others to benefit, from knowledge respecting bidding on the sale of TCDSB property or assets.
- ii. Trustees shall not access or attempt to gain access to Confidential Information in the custody of the TCDSB unless it is necessary for the performance of their duties and is not prohibited by Board policy.

## 5. Use of Board Resources

- i. No Trustee shall use or permit the use of TCDSB resources for any purpose than the business of the Board.
- ii. No Trustee shall obtain personal financial gain from the use or sale of TCDSB developed intellectual property (for example, inventions, creative writings and drawings), computer programs, technical innovations or any other item capable of being patented. Trustees acknowledge and do not dispute that all such property remains exclusively that of the TCDSB.
- iii. No Trustee shall use information gained in the execution of his or her duties that is not available to the general public, for any purposes other than his or her official duties.
- iv. No Trustee shall use the services of Board staff, or make requests for documents or information from Board staff, unless such information is required for the purpose of carrying out their duties as public officials.
- v. No Trustee shall include in his or her website, newsletters, E-mails or other printed material, advertising of businesses in the Board, including the distribution of gift certificates, free tickets or a compiled list of businesses located in a ward.

## 6. Election Campaigns

- i. Trustees are required to follow the provisions of the *Municipal Elections Act, 1996* and Trustees are accountable under the provisions of that statute.
- ii. No Trustee shall use the facilities, equipment, supplies, services, staff or other resources of the TCDSB (including TCDSB newsletters, individual websites linked through the TCDSB website and social media accounts used for ward communication) for any election campaign or campaign-related activities and all such sites shall not use the TCDSB logo.
  - a. If a Trustee uses any social media account for campaign purposes, such account must not be created or

supported by TCDSB resources or use the TCDSB logo. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers.

- b. To avoid confusion with any website or social media accounts used for the Trustee's work, Trustees who choose to create or use social media accounts for campaign communications must include, for the duration of the campaign, a clear statement on each campaign website or social media account's home page indicating that the account is being used for election campaign purposes.
  - c. Trustees are allowed to place campaign phone numbers, websites and E-mail addresses on election pages on the TCDSB website. All of which is available and authorized for all candidates for Board office.
- iii. In a municipal election year, commencing July 2, until the date of the election, Trustees may not publish newsletters or distribute newsletters in TCDSB facilities. All newsletters distributed through the mail must be post- marked by no later than May 1 (alternate July 2) in an election year. Trustees may, during such period, use TCDSB facilities to communicate important notifications to separate school supporters in their ward by E-mail or by letter on the Trustee's usual letterhead.
  - iv. In a municipal election year, commencing on July 2, until the date of the election, no candidate, including Trustees, may directly or indirectly book any TCDSB facility for any purpose that might be perceived as an election campaign purpose.
  - v. No Trustees shall use the services of persons for campaign related Activities during hours in which those persons receive any compensation from the TCDSB.

## 7. Improper Use of Influence

- i. No Trustee shall use the influence of their office for any purpose other than for the exercise of their official duties.
- ii. If the TCDSB has taken a position in an Ontario Land Tribunal (“OLT”) matter and instructed legal counsel to appear at a hearing in support of such position, no Trustee who disagrees with such position shall give evidence at such hearing or otherwise work against the will of the TCDSB in such matter. With the consent of the lawyer assigned to represent the Board at an OLT hearing, a Trustee who is in support of the Board instructions to such lawyer, may give evidence at an OLT hearing. Notwithstanding the above, if the OLT has decided to mediate a dispute between parties in a matter, any member of the Board may offer his or her services to assist with such mediation regardless of his or her position in the matter and participate, if approved by the OLT mediator.
- iii. Pursuant to section 283 of the *Education Act*, the Director of Education is the chief education officer and chief executive officer of the TCDSB and has exclusive authority to direct staff. The Board, and not individual Trustees, give direction to the Director of Education.
- iv. No Trustee shall use his or her position, authority or influence for personal, financial or material gain or personal business purposes or for the personal, financial or material gain or business purposes of a Family member, friend and/or business associate. Every Trustee shall uphold and enhance all TCDSB business operations by:
  - a. maintaining an unimpeachable standard of integrity in all their relationships, both inside and outside the TCDSB;
  - b. fostering the highest standard of professional competence amongst those for whom they are responsible;
  - c. complying with and being seen to comply with the letter and spirit of: (1) The laws of Canada and the Province of Ontario; and (2) Contractual obligations applicable to the Board; and

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

## **8. Business Relations**

- i. No Trustee shall allow the prospect of his/her future employment by a person or entity to affect the performance of their duties, detrimentally or otherwise.
- ii. No Trustee shall borrow money from any person who regularly does business with the TCDSB unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money, such as a credit union.
- iii. No Trustee shall act as a paid agent before the Board or a committee of the Board or any agency, board or committee of the TCDSB.
- iv. No Trustee shall refer a third party to a person, partnership or corporation in exchange for payment or other personal benefit.

## **9. Trustee Conduct**

- i. Trustees shall comply with the Code and any applicable TCDSB by-law, resolution, policy or procedure.
- ii. When acting or holding themselves out as member of the Board, the Trustee shall conduct themselves in a manner that would not discredit or compromise the integrity of the TCDSB.
- iii. When acting or holding themselves out as a member of the Board, the 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.
- iv. Trustees shall encourage public respect for the TCDSB, the Board and its by-laws.
- v. 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.



- vi. Trustees shall conduct themselves at the Board and committee meetings with decorum in accordance with the provisions of the Board's Operating By-law.
- vii. Trustees shall endeavour to conduct and convey the Board's business and all their duties in an open and transparent manner (other than for those decisions which by virtue of legislation are authorized to be dealt with in a confidential manner in closed session), and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- viii. Trustees shall make every effort to participate diligently in the activities of the committees, agencies, boards, commissions and advisory committees to which they are appointed by the Board or by virtue of being an elected official.
- ix. Trustees shall uphold the implementation of any Board resolution after it is passed by the Board.

## **10. Media Communications**

- i. No Trustee shall act as a spokesperson to the public on behalf of the TCDSB or the Board unless authorized to do so.
- ii. Trustees will accurately communicate the decisions of the Board, even if they disagree with the majority decision of the Board, and by so doing affirm the respect for and integrity in the decision-making processes of the Board.
- iii. In all media communications, including social media, Trustees will treat each other, staff and members of the public with decorum, dignity and respect, and shall avoid messaging that amounts to abuse, bullying or intimidation.

## 11. Respectful Workplace

- i. Trustees are governed by the Board's *Harassment and Discrimination Policy H.M.14* (or any successor policy). All Trustees have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation and to ensure that their work environment is free from discrimination and harassment.
- ii. All complaints received involving Trustees under the *Harassment and Discrimination Policy H.M.14*. (or any successor policy) shall be referred to the Integrity Commissioner in accordance with both the said policy and the Code.
- iv. The Ontario Human Rights Code applies in addition to the Board's *Harassment and Discrimination Policy H.M.14* (or any successor policy).

## 12. Conduct Respecting Staff

- i. No Trustee shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities.
- ii. No Trustee shall use, or attempt to use, their authority for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intent of interfering in staff's duties, including the duty to disclose improper activity.
- iii. Trustees shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual Trustee or faction of the Board.
- iv. No Trustee shall maliciously or falsely impugn or injure the professional or ethical reputation or the prospects or practice of staff, and all Trustees shall show respect for the professional capacities of the staff of the TCDSB.

### **13. Employment of a Trustee's Family Members and Acquaintances**

- i. No Trustee shall attempt to influence the outcome of a recruitment process to favour a friend, Family member or other relative of the Trustee.
- ii. No Trustees shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any Family member.
- iii. No Trustee shall supervise a Family member, or be placed in a position of influence over a Family member.
- iv. No Trustee shall attempt to use a Family relationship for his or her personal benefit or gain.
- v. Every Trustee shall adhere to the Board's Fair Practice in *Hiring and Promotion H.M.11* policy.

### **14. Not Undermine, Work Against the Board's Decisions**

- i. Trustees shall not actively undermine the implementation of the Board's decisions.
- ii. Trustees shall not engage in litigation or other legal challenges against the TCDSB or the Board's decisions. Despite this provision:
  - a. Members may pursue a complaint or request for investigation under a statutory scheme dealing with requirements for open and transparent processes, access to information, the protection of privacy, or the protection of human rights;
  - b. Members are not restricted from participating in litigation or other legal challenges if they are uniquely impacted by the decision, such as when a sanction has been imposed by the Integrity Commissioner;
  - c. Members are not restricted from participating in litigation or other legal challenges if they did not participate, and were not entitled to participate, in the deliberations and respective decision of the Board, or in regard to which the Board has

made a decision in regard to their interests, in circumstances where they are uniquely impacted by the decision.

- iii. Despite this Regulation, Trustees may seek to have a Board decision reconsidered in accordance with the Board's Operating By-law.

## **15. Reprisals and Obstruction**

- i. It is a violation of the Code to obstruct the Integrity Commissioner in the carrying out of their responsibilities.
- ii. No Trustee shall engage in reprisal or the threat of reprisal against:
  - a. an individual initiating an inquiry or who gave notice of an alleged breach of the Code pursuant to the requirements set out in the Complaint Protocol appended at Appendix A; or
  - b. any person who provides information about the alleged breach to the Integrity Commissioner.
- iii. It is a violation of the Code to destroy documents or erase electronic communications or refuse to respond to the Integrity Commissioner where a formal complaint has been lodged under the Code's Complaint Protocol.

## **16. Acting on Advice of Integrity Commissioner**

- i. A Trustee is entitled to seek the advice of the Integrity Commissioner with respect to their own obligations under the Code of Conduct or any ethical policy, procedure or rule.
- ii. Any written advice given by the Integrity Commissioner to a Trustee binds the Integrity Commissioner in any subsequent consideration of the conduct of the Trustee in the same matter, as long as all the relevant facts were disclosed to the Integrity Commissioner, and the Trustee adhered to the advice given.

## 17. Implementation

- i. Trustees are expected to formally and informally review their adherence to the Code on a regular basis or when so requested by the Board.
- ii. At the beginning of each term, Trustees will be expected to meet with the Integrity Commissioner and/or attend training conducted by the Integrity Commissioner.
- iii. The Code applies to a Student Trustee elected to serve on the Board pursuant to Section 55 of the *Education Act* and the Regulations made thereunder, provided that:
  - a. In giving broad, liberal interpretation to any provision of the Code any necessary changes shall be inferred given the context and role of a Student Trustee
  - b. Regulation 6, Election Campaigns, does not apply to Student Trustees; and
  - c. Any complaint regarding whether a Student Trustee breached the Code shall be administered by the appropriate Board personnel responsible for student discipline and not the Integrity Commissioner, however the Integrity Commissioner may be consulted for guidance on the liberal interpretation and application of the Code.

## **Cross References:**

### Ministry of Education Policy/Program Memorandum

- Education Act, R.S.O. 1990, c. E.2
- Municipal Act, 2001, S.O. 2001, c. 25
- Municipal Conflict of Interest Act, R.S.O. 1990, c. M50 (MCIA)
- Municipal Elections Act, 1996, SO 1996, c. 32
- Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. M.56 (MFIPPA)
- Criminal Code of Canada R.S.S., 1985, c. C-46
- Human Rights Code, R.S.O. 1990, c. H. 19

### TCDSB Policy /Procedure

- *Harassment and Discrimination Policy*
- *Fair Practice in Hiring and Promotion Policy*
- *Communications*
- *Trustee Services and Expenditures Policy*
- *Trustee Honorarium*

## **Evaluation and Metrics:**

The policy will be reviewed as required and in accordance with the timelines outlined in Ontario Regulation 312/24 as follows:

- The next review of the Code shall be completed no later than May 15, 2027.
- Each subsequent review will be completed every four (4) years and no later than May 15 in the year of review.
- Where changes are made to the Code by resolution of the Board, the Board shall update the Code by no later than August 31 of the year of the review.
- This Code of Conduct will be publicly available on the Board's website and indicate the effective date of every change made to the Code (other than changes of a typographical or similar nature).
- The Board will maintain an archive of all previous versions of its Code, indicating the period during which each version applied, and shall ensure that the versions are publicly accessible.

~~TCDSB CODE OF~~  
~~CONDUCT~~  
COMPLAINT  
PROTOCOL



## COMPLAINT PROTOCOL

### Definitions:

**“Appellant” means the party appealing the Integrity Commissioner’s determination;**

**“Business Day” means a day from Monday to Friday, excluding holidays;**

**“Respondent” means the party responding to an appeal of the Integrity Commissioner’s determination.**

~~“Eligible Complainant” means:~~

- ~~a) — a Trustee, student, staff member, contractor or service provider of the TCDSB;~~
- ~~b) — a Roman Catholic (Separate School) elector;~~
- ~~c) — an Eastern Rite Catholic;~~
- ~~d) — a representative of an organization demonstrably interested in TCDSB matters; or~~
- ~~e) — such other persons demonstrably interested in TCDSB matters.~~

### **PART A: — INFORMAL COMPLAINT PROCEDURE**

~~Any Eligible Complainant who has identified or witnessed behaviour or an activity by a Trustee that they believe is in contravention of the *Trustee Code of Conduct* (the “Code”) may wish to address the prohibited behaviour or activity themselves as follows:~~

- ~~(1) — advise the Trustee that the behaviour or activity contravenes the Code;~~
- ~~(2) — encourage the Trustee to stop the prohibited behaviour or activity;~~
- ~~(3) — keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;~~
- ~~(4) — if applicable, confirm to the Trustee their satisfaction with the response of the Trustee; or, if applicable, advise the Trustee of their dissatisfaction with the response; and~~
- ~~(5) — consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.~~

~~All Eligible Complainants are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behaviour or~~

activity that is prohibited by the Code. With the consent of the complaining individual or organization and the member, the Integrity Commissioner may be part of any informal process. However, it is not a precondition or a prerequisite that those complaining must pursue the informal complaint procedure before pursuing the Formal Complaint Procedure in Part B.

### **Notification of Alleged Breach**

1. **(1) A Trustee who has reasonable grounds to believe that a Trustee has contravened the Code may file a formal complaint (the “Complaint”) to request an inquiry of the Integrity Commissioner as to whether a Trustee has contravened the Code in accordance with the following requirements:**
  - (a) The Complaint shall be in the form attached to the Complaint Protocol at Schedule “A” and shall be dated and signed by the Trustee; and**
  - (b) The Complaint shall include the name and contact information of Trustee who is the subject of the notification, the date of the alleged breach of the Code, the provision of the Code that was allegedly breached, a description of the alleged breach of the Code and overview of the complainant’s reasonable grounds to believe that the provision of the Code has been allegedly contravened, the names and contact information of any witnesses, and name and contact information of the complainant Trustee.**
- (2) The Complaint shall be filed by sending it directly to (i) the vice-chair of the Board, if the conduct relates to the conduct of the chair; (ii) another member of the Board who is neither the complainant nor the subject of the Complaint if the notice relates to the conduct of both the chair and vice-chair; and (iii) in all other situations, to the chair of the Board.**
- (3) A Trustee who gives notice of a Complaint shall also provide a copy of the notification to the director of education.**
- (4) The individual in receipt of the Complaint shall (i) immediately provide a copy of the Complaint to the Trustee whose conduct is the subject of the alleged breach and to the entire Board; and (ii)**

**in the event the matter is not resolved within twenty (20) Business Days after the Trustee received notice of the Complaint (or such other period of time as may be prescribed), the Board shall refer the Complaint to the Integrity Commissioner.**

### **Intake and Classification by Integrity Commissioner**

2. (1) **The Integrity Commissioner shall commence an investigation into a Complaint no later than fourteen (14) days after being provided with the Complaint.**
- (2) **Notwithstanding subsection 2(1) above, no** investigation shall be commenced or continued, nor shall the Integrity Commissioner report to the Board respecting an investigation, within the election period described within s.223.4 and 223.4.1 of the *Municipal Act*, except as described in those sections.
- (3) Upon receipt of a **Complaint**, the Integrity Commissioner shall make an initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code and not covered by other legislation, a complaint with respect to the *Municipal Conflict of Interest Act* or other relevant the Board policies.
- (4) If the **Complaint**, on its face, is not a complaint with respect to non-compliance with the ~~Trustee Code of Conduct~~ or another Board policy governing ethical behaviour or the *Municipal Conflict of Interest Act*, or if the **Complaint** is covered by other legislation, the Integrity Commissioner shall advise the **Trustee** complainant, **the Trustee that is the subject of the Complaint and the Board** in writing as follows:
  - (a) if the **Complaint** on its face is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the **Trustee** complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;
  - (b) if the **Complaint** on its face is with respect to non-compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, the **Trustee** complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, and shall be provided with any

additional reasons and referrals as the Integrity Commissioner considers appropriate. The Integrity Commissioner may proceed with that part of the complaint that is within jurisdiction.

- (5) The Integrity Commissioner may also refuse to commence an investigation into an alleged breach of the Code, and such decision shall be deemed to be final, if,**
- (a) The Complaint was made more than sixty (60) days after the day the alleged breach occurred or was discovered, whichever is later, unless the Integrity Commissioner is satisfied the delay was incurred in good faith and no substantial prejudice will result to any person affected by the delay. For clarity, if a breach relates to a series of incidents, the sixty (60) day limitation period runs from the day the last incident in the series occurred or was discovered and a breach is deemed to be discovered on the earlier of: (i) the day on which the Trustee notifying the Board first knew that the breach had occurred and (ii) the day on which a reasonable person with the abilities and in the circumstances of the Trustee notifying the Board first ought to have known the breach occurred; or**
  - (b) In the opinion of the Integrity Commissioner, the Complaint is made in bad faith or is frivolous or vexatious.**
- (6) The Integrity Commissioner shall **provide written notice of a refusal to commence an investigation to the Trustee, the Trustee who is the subject of the Complaint and the Board.**
- (7) The Integrity Commissioner **may define the scope of the investigation and** reformulate a complaint by restating, narrowing or clarifying the complaint so that the public interest will be best served. ~~were the complaint to be pursued~~
- ~~(8) The Integrity Commissioner may report to the Board that a specific complaint is not within the jurisdiction of the Integrity Commissioner.~~
- ~~(9) The Integrity Commissioner shall report annually to the Board on complaints not within the jurisdiction of the Integrity Commissioner, or which have been resolved informally by the Integrity Commissioner, but, where possible, shall not disclose information that could identify a person concerned.~~

## Investigation

3. (1) The Integrity Commissioner is responsible for performing the duties set out in this Protocol independently and shall report directly to the Board in respect of all such matters. In applying this Protocol, the Integrity Commissioner shall retain the discretion to conduct investigations applying the principles of procedural fairness, and any deviation from the provisions of this Protocol for that purpose shall not invalidate the investigation or result in the Integrity Commissioner losing jurisdiction.

~~If the Integrity Commissioner is of the opinion that a complaint is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, or that the pursuit of the investigation would not, in the opinion of the Integrity Commissioner, be in the public interest, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.~~

- (2) If a **Complaint** has been classified as being within the Integrity Commissioner's jurisdiction and not rejected under section 3, the **Integrity** Commissioner shall investigate the **Complaint**.
- (3) The Integrity Commissioner will provide the **Complaint** (or where the **Complaint** has been restated in accordance with subsection 2(37), the restatement) and relevant supporting material to the **Trustee** whose conduct **has been identified in the Complaint** and will provide the **Trustee** with a reasonable opportunity to respond, as well as a right of reply, where appropriate.
- (4) **Section 33 of the *Public Inquiries Act, 2009* applies to an investigation.**
- (5) **In the course of conducting the investigation, the Integrity Commissioner may,**
- (a) **require the production of any records that may in any way relate to the investigation;**
  - (b) **examine and copy any records required; and**
  - (c) **require any officer or the Board or any other person to appear before him or her and give evidence, on oath or affirmation, relating to the investigation.**

- (6) The Integrity Commissioner shall not issue a report finding a violation of the Code on the part of any Trustee unless the Trustee has had reasonable notice of the basis for and an opportunity to comment on the proposed findings.
- (7) The Integrity Commissioner may make interim reports to the Board where necessary and as required to address any instances of interference, obstruction or retaliation encountered during the investigation.

~~The Integrity Commissioner shall report to the complainant and the respective Trustee generally no later than 90 days after the making of the complaint.~~

~~Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also submit a public report to the Board outlining the findings, and any recommended corrective action.~~

~~Where the complaint is dismissed, other than in exceptional circumstances, the Integrity Commissioner shall not report to the Board except as part of an annual or other periodic report.~~

~~Any recommended corrective action must be permitted in law and shall be designed to ensure that the inappropriate behaviour or activity does not continue.~~

- (8) The Integrity Commissioner shall make a determination with respect to a Complaint no later than ninety (90) days after commencing the investigation, or within such other time period as may be prescribed by regulation, unless the Integrity Commissioner notifies the Board and the Trustee who is the subject of the Complaint that an extension is necessary and of the reasons for the extension.**
- (9) The Integrity Commissioner shall provide the Trustee whose conduct was the subject of the Complaint and the Board written notice of a determination that the Trustee has or has not breached the Code and any sanctions imposed.**
- (10) The written report of the Integrity Commissioner shall include the reasons for the determination, the reasons for any sanctions and information about the right to appeal pursuant to the *Education Act*.**

- (11) If the Integrity Commissioner determines, **following an investigation, that the Trustee has breached the Code, the Integrity Commissioner may impose one or more of the following sanctions:**
- (a) Censure **of** the Trustee;
  - (b) **Requiring the Board to reduce the Trustee's honorarium by an amount not exceeding twenty-five (25) per cent (%) of the Trustee's combined base and enrolment amount for the year of the term of office in which the breach occurred, requiring the Trustee to return any excess already paid to the Trustee and authorizing the Board to recover the excess from the Trustee;**
  - (c) **barring the Trustee from attending all or part of one or more meetings of the Board or one of more meetings of a committee of the Board, for the period of time specified by the Integrity Commissioner, up to a maximum of ninety (90) days or the balance of the Trustee's term of office, whichever is less.**
  - (d) **barring the Trustee 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 Trustee's term of office, whichever is less;**
  - (e) **barring the Trustee from becoming the chair or vice-chair of the Board or of any committee of the Board, or removing the Trustee from any of those positions;**
  - (f) **barring the Trustee from exercising the privileges of a Board member or acting as a Board representative, or removing the Trustee from a position the Trustee holds as a Board representative; and**
  - (g) **subject to any other limits set out in paragraphs (a) to (f), any other sanction that, in the opinion of the Integrity Commissioner, is reasonable and appropriate in the circumstances and would promote compliance with the Board's Code.**
- (12) If the Integrity Commissioner determines that there has been no contravention of the Code or that a contravention occurred although the member took all reasonable measures to prevent it, or that a

contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report. ~~and shall recommend that no penalty be imposed~~

~~The Recording Secretary shall process the report for the next meeting of the Board.~~

- (13) The Integrity Commissioner shall file an annual report to the Board respecting the advice, education and investigations carried out in the previous year, and developments or recommendations of significance related to the role of the Integrity Commissioner. ~~Other than in exceptional circumstances, the Integrity Commissioner will not report to the Board on any complaint described in subsection (2) except as part of an annual or other periodic report.~~

~~Where the Integrity Commissioner rejects or terminates an investigation pursuant to this section, reasons shall be provided.~~

~~The Integrity Commissioner will proceed as follows, except where otherwise required in the context of a particular situation, the principles of procedural fairness~~

- ~~— Except where the Integrity Commissioner determines that it is not in the public interest to do so, the name of the complainant shall be provided as part of the complaint documents.~~

~~The Integrity Commissioner may speak to anyone relevant to the complaint, and access and examine any information as the Integrity Commissioner believes to be necessary to support an investigation into a matter, including all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the TCDSB, and the Integrity Commissioner may enter any Board work location relevant to the complaint for the purposes of investigation and settlement.~~

## **~~Board Review~~**

- ~~1. (1) The Integrity Commissioner's report shall be considered to be a report brought to the attention of the Board pursuant to subsection 218.3(1) of the *Education Act*.~~
- ~~(2) Consideration of the Integrity Commissioner's report by the Board satisfies the requirement of the Board to make inquiries into the matter pursuant to subsection 218.3 (2) of the Education Act.~~



~~(3) The Board shall consider the Integrity Commissioner's report at a meeting open to the public provided that where the breach or alleged breach involves:~~

- ~~(a) the security of the property of the Board;~~
- ~~(b) the disclosure of intimate, personal or financial information in respect of a member of the board or committee, an employee or prospective employee of the board or a pupil or his or her parent or guardian;~~
- ~~(c) the acquisition or disposal of a school site;~~
- ~~(d) decisions in respect of negotiations with employees of the board; or~~
- ~~(e) litigation affecting the board;~~

~~The meeting may be closed to the public to the extent required to permit the Board to consider such confidential content so long as the vote on whether the Trustee has breached the Trustee Code of Conduct, and any vote on any imposition of a sanction, is open to the public.~~

~~(4) If after consideration of the Integrity Commissioner's report the Board determines that a Trustee has breached the Trustee Code of Conduct, the Board may:~~

- ~~a) Censure the Trustee~~
- ~~b) Bar the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board.~~
- ~~c) Bar the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board~~
- ~~d) Revoke the appointment of the Trustee as Chair of the Board or as Chair of a Committee of the Board, or as a member of a body to which the Board appoints one or more Trustee~~
- ~~e) Such other remedies within the Board's power to impose that are directly relevant to the nature of the breach and/or which are designed to prevent future occurrences of a similar breach. Without restricting the generality of the foregoing such remedies may include:
 
  - ~~a. a request that a genuine apology be made~~
  - ~~b. training as may be recommended by the Integrity Commissioner~~
  - ~~c. the Board adopting a public resolution disassociating itself from any action or statement the Trustee has been found to have taken or made.~~~~

## Consequences of the Imposition of a Sanction

4. (1) A Trustee who is barred from attending all or part of a meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that part of the meeting that are not available to members of the public.
- (2) Where a Trustee is barred from attending all or part of a meeting of the Board the Trustee's absence is deemed to be authorization for the Trustee to be absent from the meeting for the purpose of clause 228 (1) (b) of the *Education Act*.
- ~~(5) If the Board determines that a Trustee has breached the Trustee Code or Conduct under subsection (4),
  - ~~(a) the Board shall give the Trustee written notice of the determination and of any sanction imposed by the Board;~~
  - ~~(b) the notice shall inform the Trustee that he or she may make written submissions to the Board in respect of the determination or sanction by a date specified in the notice that is at least 14 days after the notice is received by the member; and~~
  - ~~(c) the Board shall consider any submissions made by the Trustee in accordance with clause (b) and shall confirm or revoke the determination within 14 days after the submissions are received.~~~~
- ~~(6) If the Board revokes a determination under clause (7) (c), any sanction imposed by the Board is revoked.~~

- ~~(7) If the Board confirms a determination under clause (7) (c), the board shall, within the time referred to in that clause, confirm, vary or revoke the sanction.~~
- ~~(8) If a sanction is varied or revoked under subsection (8) or (9), the variation or revocation shall be deemed to be effective as of the date the original determination was made under subsection (4).~~
- ~~(9) The Board's deliberations and voting to confirm or revoke a determination that the Trustee has breached the Trustee Code of Conduct, or to confirm, vary or revoke a sanction imposed as a consequence, shall be open to the public and only such portions of the meeting as provided for in subsection (3) may be closed to the public~~

## **Appeal**

- 5. (1) Either the Board or the Trustee 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 Trustee are the parties to such an appeal.**
- (2) The Trustee 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 the Integrity Commissioner's determination and/or sanctions.**
- (3) The Appellant shall give written notice of the appeal to the other party and the Deputy Minister no later than fifteen (15) Business Days after receiving written notice of the Integrity Commissioner's determination, or within such other time period as may be prescribed by regulation.**
- (4) The appeal shall be heard by a panel of three (3) integrity commissioners appointed by the Deputy Minister or his or her delegate, but the panel shall not include the Integrity Commissioner whose determination is the subject of the appeal (the "Panel").**
- (5) The Panel shall hear the appeal in writing as follows:**
  - (a) the Appellant shall provide written submissions to the Panel and the Respondent no later than twenty (20) Business Days after receiving notice that the Panel has been appointed;**
  - (b) the Respondent shall provide written submissions to the Panel and the Appellant no later than twenty (20) Business Days after**

receiving the Appellant's submissions;

- (c) the Appellant shall provide their written reply to the Respondent's submissions no later than ten (10) Business Days after receiving the Respondent's submissions; and
  - (d) the Chair of the Panel may extend any timeline for the filing of written submissions at the written request of a party in order 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 of the decision shall be provided to the Deputy Minister.
- (6) The Panel shall convene to consider the appeal at such times and in such places as they may determine, including by electronic means.
  - (7) The Panel may define or narrow the scope of the appeal, limit the length of the submissions from the parties and make interim decisions and orders.
  - (8) The Panel may dismiss an appeal as frivolous or vexatious or commenced in bad faith, and such decision is final.
  - (9) If the Panel overturns the determination made by the Integrity Commissioner, any sanction imposed by the Integrity Commissioner is revoked.
  - (10) If the Panel upholds the determination made by the Integrity Commissioner, the Panel shall uphold, vary or overturn the sanction.
  - (11) If a sanction is varied or overturned by the Panel, the variation or overturning shall be deemed to be effective as of the date the original determination was imposed or made by the Integrity Commissioner.
  - (12) The Panel shall provide its decision and its reasons, including any dissent, to the parties no later than thirty (30) Business Days after receiving the Respondent's submissions. A copy of the Panel's decision shall be provided to the Deputy Minister
  - (13) The decision of a Panel respecting the determination of the

**Integrity Commissioner is final.**

**Confidentiality, Records and Information**

6. (1) The Integrity Commissioner and every person acting under her or his instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law. ~~in a criminal proceeding~~
- ~~(2) All reports from the Integrity Commissioner to the Board will be made available to the public.~~
- (2) Any references by the Integrity Commissioner in an annual or other periodic report to a complaint or an investigation shall not disclose confidential information that could identify a person concerned.
- ~~(4) The Integrity Commissioner in a report to the Board on whether a Trustee has violated the Code of Conduct shall only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.~~
- (3) The Board shall keep records and publish information on its website about each of the following:**
- (a) a notification brought to the Board by a Trustee alleging that another Trustee had breached the Code;**
  - (b) A determination of the Integrity Commissioner, including where the Integrity Commissioner refuses to commence an investigation; or**
  - (c) if a Panel upholds or overturns a decision of the Integrity Commissioner.**
- (4) The Board shall publish only such information on its website as appropriate where the alleged breach of the Code or the determination regarding the breach involves any of the following matters:**
- (a) the security of the property of the Board;**
  - (b) the disclosure of intimate, personal or financial information in respect of a member of the Board or committee, an**

**employee or prospective employee of the Board or a pupil or his or her parent or guardian;**

**(c) the acquisition or disposal of a school site;**

**(d) decisions in respect of negotiations with employees of the Board; or**

**(e) litigation affecting the Board.**

**Schedule  
"A"  
Complaint  
Form**

I, name of Eligible Complainant **being** a Trustee of the TCDSB **hereby give notice of an alleged breach of the Code and** request the Integrity Commissioner appointed by the **TCDSB** to conduct an inquiry about whether or not the following Trustee(s) has contravened the Trustee Code of Conduct or the *Municipal Conflict of Interest Act*.

~~being an Eligible Complainant on the basis that I am (select all that are relevant)~~

- ~~a Trustee, student, staff member, contractor or service provider of the TCDSB;~~
- ~~a Roman Catholic (Separate School) elector;~~
- ~~an Eastern Rite Catholic;~~
- ~~a representative of an organization demonstrably interested in TCDSB matters; or~~
- ~~an other person demonstrably interested in TCDSB matters,~~

**(Name** of Trustee(s): \_\_\_\_\_

I have reasonable and probable grounds to believe that the above Trustee(s) has contravened the Code and/or the *Municipal Conflict of Interest Act* by reason of the following (please include date of the **alleged breach**, the **Regulation(s) alleged to have been** contravened, **a description of the alleged breach** and **any further** particulars, including **documents and/or** names of all persons involved, and of all witnesses, and information as to how they can be reached (attach additional pages as needed):

---



---



---



---

I hereby request the Integrity Commissioner to conduct an inquiry with respect to the above conduct. Attached are copies of documents and records relevant to the requested inquiry.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

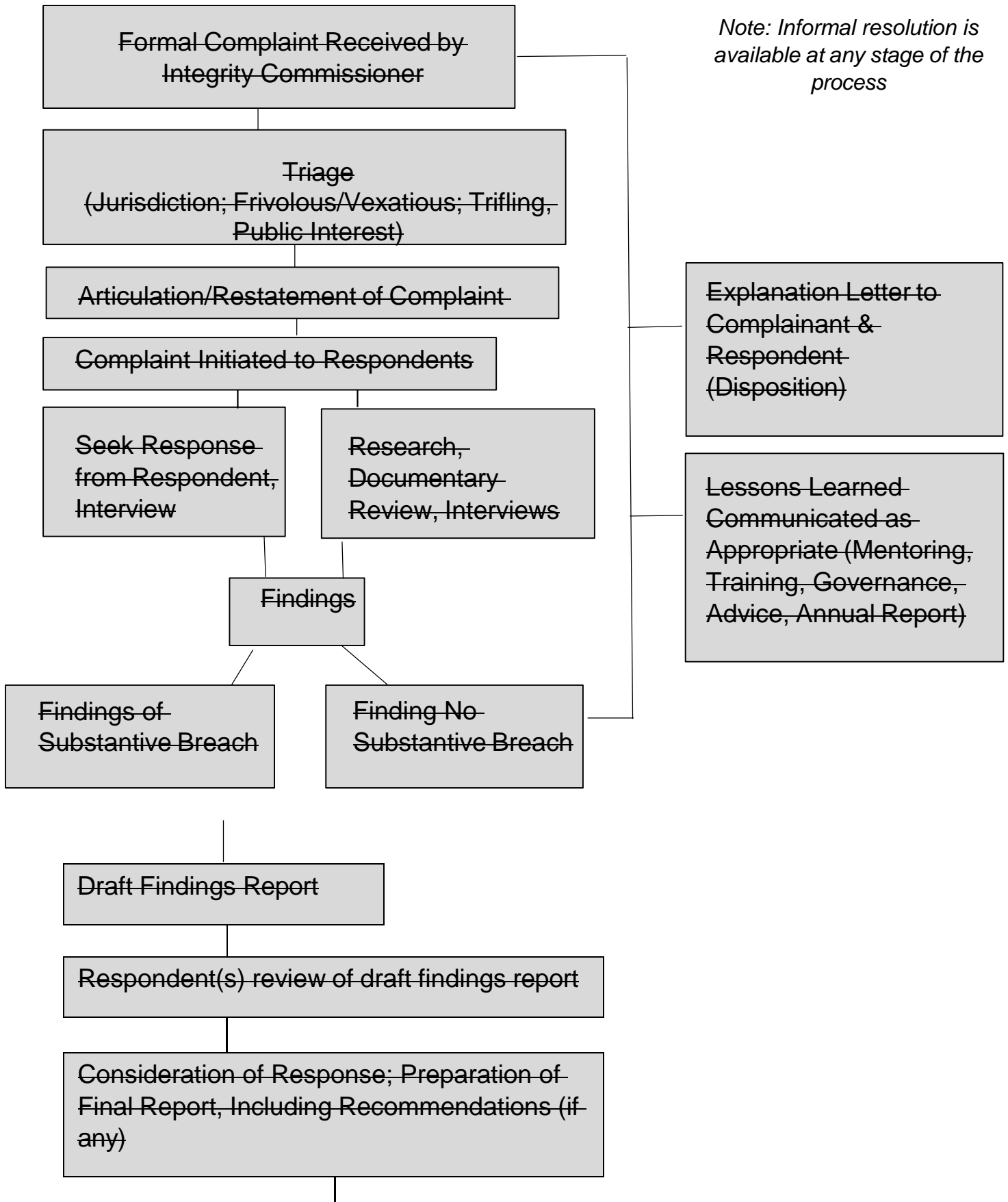
Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

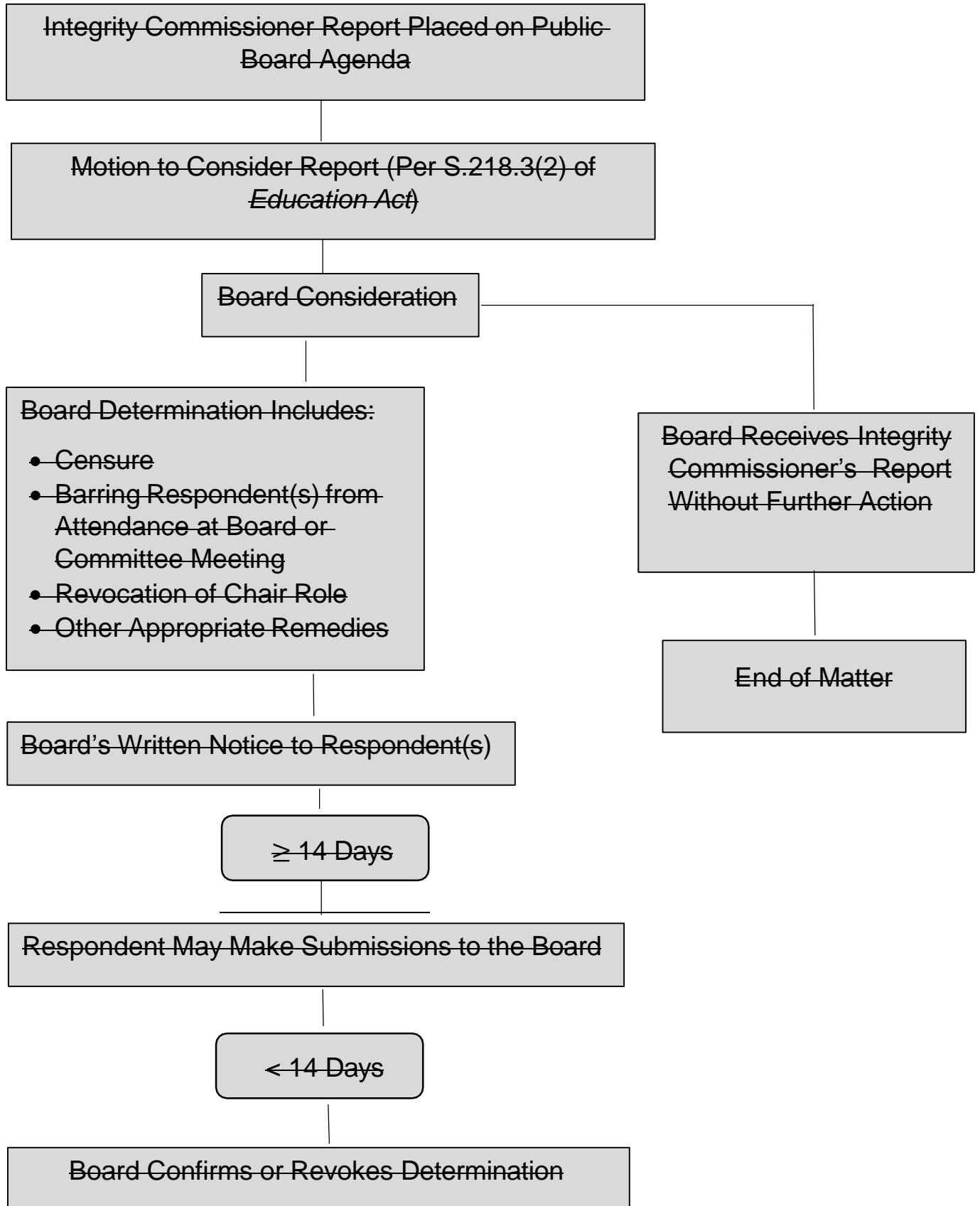
Part 1 – Integrity Commissioner Process





Submission to ~~Public Meeting of the Board~~  
(See Part 2)

Part 2 – Board Review



---

# Complaint Protocol

---

## Definitions:

**“Appellant”** means the party appealing the Integrity Commissioner’s determination;

**“Business Day”** means a day from Monday to Friday, excluding holidays;

**“Respondent”** means the party responding to an appeal of the Integrity Commissioner’s determination.

## Notification of Alleged Breach

1. (1) A Trustee who has reasonable grounds to believe that a Trustee has contravened the Code may file a formal complaint (the “Complaint”) to request an inquiry of the Integrity Commissioner as to whether a Trustee has contravened the Code in accordance with the following requirements:
  - (a) The Complaint shall be in the form attached to the Complaint Protocol at Schedule “A” and shall be dated and signed by the Trustee; and
  - (b) The Complaint shall include the name and contact information of Trustee who is the subject of the notification, the date of the alleged breach of the Code, the provision of the Code that was allegedly breached, a description of the alleged breach of the Code and overview of the complainant’s reasonable grounds to believe that the provision of the Code has been allegedly contravened, the names and contact information of any witnesses, and name and contact information of the complainant Trustee.
- (2) The Complaint shall be filed by sending it directly to (i) the vice-chair of the Board, if the conduct relates to the conduct of the chair; (ii) another member of the Board who is neither the complainant nor the subject of the Complaint if the notice relates to the conduct of both the chair and vice-chair; and (iii) in all other situations, to the chair of the Board.
- (3) A Trustee who gives notice of a Complaint shall also provide a copy of the notification to the director of education.
- (4) The individual in receipt of the Complaint shall (i) immediately provide a

copy of the Complaint to the Trustee whose conduct is the subject of the alleged breach and to the entire Board; and (ii) in the event the matter is not resolved within twenty (20) Business Days after the Trustee received notice of the Complaint (or such other period of time as may be prescribed), the Board shall refer the Complaint to the Integrity Commissioner.

### **Intake and Classification by Integrity Commissioner**

2. (1) The Integrity Commissioner shall commence an investigation into a Complaint no later than fourteen (14) days after being provided with the Complaint.

(2) Notwithstanding subsection 2(1) above, no investigation shall be commenced or continued, nor shall the Integrity Commissioner report to the Board respecting an investigation, within the election period described within s.223.4 and 223.4.1 of the *Municipal Act*, except as described in those sections.

(3) Upon receipt of a Complaint, the Integrity Commissioner shall make an initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code and not covered by other legislation, a complaint with respect to the *Municipal Conflict of Interest Act* or other relevant the Board policies.

(4) If the Complaint, on its face, is not a complaint with respect to non-compliance with the Code or another Board policy governing ethical behaviour or the *Municipal Conflict of Interest Act*, or if the Complaint is covered by other legislation, the Integrity Commissioner shall advise the Trustee complainant, the Trustee that is the subject of the Complaint and the Board in writing as follows:

(a) if the Complaint on its face is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the Trustee complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;

(b) if the Complaint on its face is with respect to non-compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, the Trustee complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, and shall be provided with any additional reasons and referrals as the Integrity Commissioner considers appropriate. The Integrity Commissioner may proceed with that part of the complaint that is within jurisdiction.

(5) The Integrity Commissioner may also refuse to commence an investigation

into an alleged breach of the Code, and such decision shall be deemed to be final, if,

(a) The Complaint was made more than sixty (60) days after the day the alleged breach occurred or was discovered, whichever is later, unless the Integrity Commissioner is satisfied the delay was incurred in good faith and no substantial prejudice will result to any person affected by the delay. For clarity, if a breach relates to a series of incidents, the sixty (60) day limitation period runs from the day the last incident in the series occurred or was discovered and a breach is deemed to be discovered on the earlier of: (i) the day on which the Trustee notifying the Board first knew that the breach had occurred and (ii) the day on which a reasonable person with the abilities and in the circumstances of the Trustee notifying the Board first ought to have known the breach occurred; or

(b) In the opinion of the Integrity Commissioner, the Complaint is made in bad faith or is frivolous or vexatious.

(6) The Integrity Commissioner shall provide written notice of a refusal to commence an investigation to the Trustee, the Trustee who is the subject of the Complaint and the Board.

(7) The Integrity Commissioner may define the scope of the investigation and reformulate a complaint by restating, narrowing or clarifying the complaint so that the public interest will be best served.

## **Investigation**

3. (1) The Integrity Commissioner is responsible for performing the duties set out in this Protocol independently and shall report directly to the Board in respect of all such matters. In applying this Protocol, the Integrity Commissioner shall retain the discretion to conduct investigations applying the principles of procedural fairness, and any deviation from the provisions of this Protocol for that purpose shall not invalidate the investigation or result in the Integrity Commissioner losing jurisdiction.

(2) If a Complaint has been classified as being within the Integrity Commissioner's jurisdiction and not rejected, the Integrity Commissioner shall investigate the Complaint.

(3) The Integrity Commissioner will provide the Complaint (or where the Complaint has been restated in accordance with subsection 2(7), the restatement) and relevant supporting material to the Trustee whose conduct has been

identified in the Complaint and will provide the Trustee with a reasonable opportunity to respond, as well as a right of reply, where appropriate.

(4) Section 33 of the *Public Inquiries Act, 2009* applies to an investigation.

(5) In the course of conducting the investigation, the Integrity Commissioner may,

(a) require the production of any records that may in any way relate to the investigation;

(b) examine and copy any records required; and

(c) require any officer or the Board or any other person to appear before him or her and give evidence, on oath or affirmation, relating to the investigation.

(6) The Integrity Commissioner shall not issue a report finding a violation of the Code on the part of any Trustee unless the Trustee has had reasonable notice of the basis for and an opportunity to comment on the proposed findings.

(7) The Integrity Commissioner may make interim reports to the Board where necessary and as required to address any instances of interference, obstruction or retaliation encountered during the investigation.

(8) The Integrity Commissioner shall make a determination with respect to a Complaint no later than ninety (90) days after commencing the investigation, or within such other time period as may be prescribed by regulation, unless the Integrity Commissioner notifies the Board and the Trustee who is the subject of the Complaint that an extension is necessary and of the reasons for the extension.

(9) The Integrity Commissioner shall provide the Trustee whose conduct was the subject of the Complaint and the Board written notice of a determination that the Trustee has or has not breached the Code and any sanctions imposed.

(10) The written report of the Integrity Commissioner shall include the reasons for the determination, the reasons for any sanctions and information about the right to appeal pursuant to the *Education Act*.

(11) If the Integrity Commissioner determines, following an investigation, that the Trustee has breached the Code, the Integrity Commissioner may impose one or more of the following sanctions:

(a) Censure of the Trustee;

(b) Requiring the Board to reduce the Trustee's honorarium by an amount not exceeding twenty-five (25) per cent (%) of the Trustee's combined base and enrolment amount for the year of the term of office in which the breach occurred, requiring the Trustee to return any excess already paid to the Trustee and authorizing the Board to recover the excess from the Trustee;

(c) barring the Trustee 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 ninety (90) days or the balance of the Trustee's term of office, whichever is less.

(d) barring the Trustee 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 Trustee's term of office, whichever is less;

(e) barring the Trustee from becoming the chair or vice-chair of the Board or of any committee of the Board, or removing the Trustee from any of those positions;

(f) barring the Trustee from exercising the privileges of a Board member or acting as a Board representative, or removing the Trustee from a position the Trustee holds as a Board representative; and

(g) subject to any other limits set out in paragraphs (a) to (f), any other sanction that, in the opinion of the Integrity Commissioner, is reasonable and appropriate in the circumstances and would promote compliance with the Board's Code.

(12) If the Integrity Commissioner determines that there has been no contravention of the Code or that a contravention occurred although the member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report.

(13) The Integrity Commissioner shall file an annual report to the Board respecting the advice, education and investigations carried out in the previous year, and developments or recommendations of significance related to the role

of the Integrity Commissioner.

### **Consequences of the Imposition of a Sanction**

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

(2) Where a Trustee is barred from attending all or part of a meeting of the Board the Trustee's absence is deemed to be authorization for the Trustee to be absent from the meeting for the purpose of clause 228 (1)(b) of the *Education Act*.

### **Appeal**

5. (1) Either the Board or the Trustee 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 Trustee are the parties to such an appeal.

(2) The Trustee 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 the Integrity Commissioner's determination and/or sanctions.

(3) The Appellant shall give written notice of the appeal to the other party and the Deputy Minister no later than fifteen (15) Business Days after receiving written notice of the Integrity Commissioner's determination, or within such other time period as may be prescribed by regulation.

(4) The appeal shall be heard by a panel of three (3) integrity commissioners appointed by the Deputy Minister or his or her delegate, but the panel shall not include the Integrity Commissioner whose determination is the subject of the appeal (the "Panel").

(5) The Panel shall hear the appeal in writing as follows:

(a) the Appellant shall provide written submissions to the Panel and the Respondent no later than twenty (20) Business Days after receiving notice that the Panel has been appointed;

(b) the Respondent shall provide written submissions to the Panel and the Appellant no later than twenty (20) Business Days after receiving the Appellant's submissions;



(c) the Appellant shall provide their written reply to the Respondent's submissions no later than ten (10) Business Days after receiving the Respondent's submissions; and

(d) the Chair of the Panel may extend any timeline for the filing of written submissions at the written request of a party in order 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 of the decision shall be provided to the Deputy Minister.

(6) The Panel shall convene to consider the appeal at such times and in such places as they may determine, including by electronic means.

(7) The Panel may define or narrow the scope of the appeal, limit the length of the submissions from the parties and make interim decisions and orders.

(8) The Panel may dismiss an appeal as frivolous or vexatious or commenced in bad faith, and such decision is final.

(9) If the Panel overturns the determination made by the Integrity Commissioner, any sanction imposed by the Integrity Commissioner is revoked.

(10) If the Panel upholds the determination made by the Integrity Commissioner, the Panel shall uphold, vary or overturn the sanction.

(11) If a sanction is varied or overturned by the Panel, the variation or overturning shall be deemed to be effective as of the date the original determination was imposed or made by the Integrity Commissioner.

(12) The Panel shall provide its decision and its reasons, including any dissent, to the parties no later than thirty (30) Business Days after receiving the Respondent's submissions. A copy of the Panel's decision shall be provided to the Deputy Minister

(13) The decision of a Panel respecting the determination of the Integrity Commissioner is final.

### **Confidentiality, Records and Information**

6. (1) The Integrity Commissioner and every person acting under her or his instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law.

(2) Any references by the Integrity Commissioner in an annual or other periodic report to a complaint or an investigation shall not disclose confidential information that could identify a person concerned.

(3) The Board shall keep records and publish information on its website about each of the following:

(a) a notification brought to the Board by a Trustee alleging that another Trustee had breached the Code;

(b) A determination of the Integrity Commissioner, including where the Integrity Commissioner refuses to commence an investigation; or

(c) if a Panel upholds or overturns a decision of the Integrity Commissioner.

(4) The Board shall publish only such information on its website as appropriate where the alleged breach of the Code or the determination regarding the breach involves any of the following matters:

(a) the security of the property of the Board;

(b) the disclosure of intimate, personal or financial information in respect of a member of the Board or committee, an employee or prospective employee of the Board or a pupil or his or her parent or guardian;

(c) the acquisition or disposal of a school site;

(d) decisions in respect of negotiations with employees of the Board; or

(e) litigation affecting the Board.

## Schedule "A" Complaint Form

I, \_\_\_\_\_, being a Trustee of the TCDSB hereby give notice of an alleged breach of the Code and request the Integrity Commissioner appointed by the TCDSB to conduct an inquiry about whether or not the following Trustee(s) has contravened the Trustee Code of Conduct or the *Municipal Conflict of Interest Act*:

(Name of Trustee(s): \_\_\_\_\_)

I have reasonable and probable grounds to believe that the above Trustee(s) has contravened the Code and/or the *Municipal Conflict of Interest Act* by reason of the following (please include date of the alleged breach, the Regulation(s) alleged to have been contravened, a description of the alleged breach and any further particulars, including documents and/or names of all persons involved, and of all witnesses, and information as to how they can be reached (attach additional pages as needed):

---

---

---

---

I hereby request the Integrity Commissioner to conduct an inquiry with respect to the above conduct. Attached are copies of documents and records relevant to the requested inquiry.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

## Appendix E

# COMMENTARY ON TRUSTEE CODE OF CONDUCT

**Regulation Commentary .....**

1. Avoidance of Conflicts of Interest	3
2. Gifts, Benefits and Hospitality	4
3. Trustee’s Role in Funding Charitable/Community Events	5
4. Confidential Information	6
5. Use of Board Resources	6
6. Election Campaigns	7
7. Improper Use of Influence	7
8. Business Relations	8
9. Trustee Conduct	8
10. Media Communications	9
<del>11. Respect for Board By laws and Policies</del>	<del>9</del>
<u>11.12. Respectful Workplace</u>	10
<u>12.13. Conduct Respecting Staff</u>	10
<u>13.14. Employment of a Trustee’s Relatives/Family Members and Acquaintances</u> <u>.....</u>	11
<u>14.15. Not Undermine, Work Against the Board’s Decisions</u>	11
<u>15.16. Reprisals and Obstruction</u>	12
<u>16.17. Acting on Advice of Integrity Commissioner</u>	12
<u>17.18. Implementation</u>	12

## **Regulations:**

### **1. Avoidance of Conflicts of Interest**

#### **Commentary: Sections 1 – 4 Commentary**

*Trustees should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and private conflicts of interest, both apparent and real. Trustees shall also not extend in the discharge of their official duties, preferential treatment to Family members, organizations or groups in which they or their Family members have a direct or indirect pecuniary interest.*

*Trustees have a common understanding that in carrying out their duties as a Trustee, they will not participate in activities that grant, or appear to grant, any special consideration, treatment or advantage to a Family member or an individual which is not available to every other individual.*

*Trustees may seek conflict of interest or other advice, in writing, from the Integrity Commissioner. Where members choose to seek external legal advice on conflict of interest or other Code of Conduct issues, these fees will not be reimbursed by the TCDSB and cannot be charged to any office account.*

*When a member, despite the existence of an interest, believes that he or she may still participate in a matter with an open mind, the public interest is best served when the Trustee is able to articulate the interest, and why the interest does not amount to a disqualifying conflict of interest.*

*Trustees must remain at arm's length when Board staff or the Board is asked to consider a matter involving a Family member or a person or organization with whom the Trustee has a real or apparent conflict of interest.*

#### **Sections 5 – 9 Commentary**

*Trustees should exercise caution if accepting such positions if the organization could be seeking a benefit or preferential treatment from the Board at any time*

*The legislative obligation is set out in the Municipal Conflict of Interest (MCIA). If the Trustee, or a family member of the Trustee, sits on a body which has a pecuniary interest in a matter before the Board (such as an application for grant, support or other contribution), that Trustee has a*

*deemed pecuniary interest. The Trustee should disclose the interest and should not participate in or vote on such matter, in compliance with the obligations of s.5, MCIA.*

*The Trustee Code of Conduct captures the broader common law responsibility and requires members to avoid the appearance of favoring organizations or groups on which the Trustee's family members serve.*

*Family members of Trustees are not precluded, or even discouraged, from serving on not-for-profit organizations or other bodies. However, where family members of Trustees serve in such a capacity, the Trustee should declare a conflict of interest whenever there is a matter for the Board consideration in which the not-for-profit organization or body has a pecuniary interest.*

## **2. Gifts, Benefits and Hospitality Commentary:**

*Gifts and benefits are often received by elected officials in the course of their duties and attendance at public functions is expected and is considered part of their role. Business-related entertainment and gift-giving can be a token of respect and admiration for the elected official, but can also be seen as an instrument of influence and manipulation. The object of this regulation is to provide transparency around the receipt of incidental gifts and benefits and to establish a threshold where the total value could be perceived as potentially influencing a decision.*

*The practical problems that nominal gifts and benefits create require a Trustee Code of Conduct that provides clarity and transparency. Personal integrity and sound business practices require that relationships with developers, vendors, contractors or others doing business with the Board be such that no Trustee is perceived as showing favouritism or bias toward the giver. There will never be a perfect solution.*

*Each Trustee is individually accountable to the public and is encouraged to keep a list of all gifts and benefits received from individuals, firms or associations, with estimated values, for review by the Integrity Commissioner in the event of a complaint.*

*Use of real estate or significant assets or facilities (i.e. a vehicle, office, vacation property or club membership) at a reduced rate or at no cost is not an acceptable gift or benefit. The purpose of the Code is not to prohibit Trustees from accepting all invitations to socialize at a vacation property with personal friends who are*

in no way associated with the business of the TCDSB.

*Proper caution and diligence must however be exercised when a social function occurs within close proximity to the individual having an issue before the Board or staff for approval. It is always prudent to consult with the Integrity Commissioner before accepting or attending at any such engagements. Any doubts about the propriety of a gift should be resolved in favour of not accepting it or not keeping it. It may be helpful to consult with the Integrity Commissioner when a Trustee chooses to decline a gift as well as when a recipient may opt to keep a gift.*

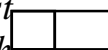
*An invitation to attend a function with a developer or supplier could be seen as allowing the giver an opportunity to influence the elected official. Such invitations should only be accepted if the invitation is within the scope of permissible gifts and benefits, meaning that Trustees should not consistently accept invitations from the same individual or corporation and should avoid any appearance of favouritism.*

*An invitation to attend a fund-raising gala, provided the Trustee is not consistently attending such events as a guest of the same individual or corporation, is also part of the responsibilities of holding public office. Where a Trustee is uncertain in regard to whether an invitation is or is not appropriate, it may be prudent to consult with the Integrity Commissioner before attending any such event.*

*Regular invitations to lunch or dinner with persons who are considered friends of Trustees is acceptable in situations where the Trustee pays their portion of the meal expense and treats it as a personal expense, meaning a claim is not made under the Trustee Services and Expenditures Policy T.17. Proper caution and diligence not to discuss matters before the Board for a decision must be exercised at all times. When in doubt it is prudent to consult with the Integrity Commissioner.*

### **3. Trustee's Role in Funding Charitable/Community Events Commentary:**

*By virtue of the office, Trustees will be called upon to assist various charities, service clubs and other non-profits as well as community associations, by accepting an honorary role in the organization, lending their name or support to it or assisting in fundraising. Transparency and accountability are best achieved in today's era by encouraging contributors to make donations to such organizations on-line through a website or where that is not possible through a*





*cheque made payable directly to the organization. Cash should never be accepted.*

#### **4. Confidential Information Commentary:**

*Confidential Information includes information in the possession of, or received in confidence by, the TCDSB that the TCDSB is either prohibited from disclosing, or is required to refuse to disclose, under the Municipal Freedom of Information and Protection of Privacy Act (“MFIPPA”), or any other legislation.*

*MFIPPA restricts or prohibits disclosure of information received in confidence from third parties of a corporate, commercial, scientific or technical nature, information that is personal, and information that is subject to solicitor-client privilege.*

*The Education Act allows information that concerns personnel, labour relations, litigation, property acquisitions and security of the property of the Board, and matters authorized in other legislation including MFIPPA, to remain confidential. For the purposes of the Trustee Code of Conduct, “confidential information” includes this type of information.*

*As elected officials, Trustees will receive highly sensitive and confidential information concerning residents who need their assistance. This is consistent with the nature of the Trustees’ duties Constituency records that are at all times under the control of the Trustee and are not subject to MFIPPA.*

*Where it is clear that a communication was not made in a confidential manner (i.e. copied to others, or made in the presence of others) or the manner of communication undermines the validity of labelling it “Confidential”, such communication will not be given any higher level of confidentiality than any other communication. The words “Privileged”, “Confidential” or “Private” will not be understood to preclude the appropriate sharing of the communication for the limited purpose of reviewing, responding or looking into the subject-matter of the communication.*

#### **5. Use of Board Resources Commentary:**

*Trustees, by virtue of their position, have access to a wide variety of property, equipment, services and  Page 92 of 151*

*their Board duties as public officials.*

*Trustees are held to a higher standard of behaviour and conduct and therefore should not use TCDSB property for any purpose other than for carrying out their official duties. For clarity, this Regulation is intended to prohibit the use of Board resources for purposes such as running a home business. It is not intended to prohibit occasional personal use, but it should be subject to practical limitations.*

*Careful attention should be given to the provisions of the Board's Trustee Services and Expenditures Policy T.17 which identifies allowable expenses. During election campaigns, the provisions of Regulations 6 and 7 will apply.*

## **6. Election Campaigns Commentary:**

*Staff should not interpret or provide advice to Trustees regarding the requirements placed on candidates for municipal office.*

*Trustees should not authorize any event that could be perceived as the TCDSB providing them with an advantage over other candidates. It is the personal responsibility of Trustees to ensure that any use of facilities or the services of staff are carried out in accordance with applicable legislation. Staff are not responsible for monitoring and advising Trustees or any other candidates, in this regard.*

## **7. Improper Use of Influence Commentary:**

*Examples of prohibited conduct are the use of one's status as a Trustee to improperly influence the decision of another person to the private advantage of oneself, or one's Family member, or friends. This would include attempts to secure preferential treatment beyond activities in which Trustees normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of a future advantage through a Trustee's supposed influence within the Board in return for present actions or inaction.*

*Contact with members of tribunals appointed by the Board on any case might be viewed as attempts to intimidate the tribunal member. Generally, Trustees should not take part in the proceedings of any other tribunal where the Board is a party unless such participation is approved by the Integrity Commissioner.*

## 8. Business Relations Commentary:

*No Commentary*

## 9. Trustee Conduct

### Commentary: Section 1 – 25

*As leaders in the community, Trustees are held to a higher standard of behaviour and conduct, and accordingly their behaviour should be exemplary.*

*A Trustee must not encourage disobedience of a Board decision or by-law in responding to a member of the public, as this undermines confidence in the Board and in the Rules of Law.*

*A Trustee must not encourage disobedience of a Board decision or by-law in responding to a member of the public, as this undermines confidence in the Board and in the Rules of Law.*

*Trustees are required to observe the policies and procedures established by the Board at all times, and are directed to pay special attention to, and comply strictly with, the Board's Operating By-law and Trustee Services and Expenditures Policy*

*T.17. In exceptional circumstances, a Trustee may request the Board grant an exemption from any policy.*

### Section 6 - 9

*Trustees recognize the importance of cooperation and strive to create an atmosphere during Board and committee meetings that is conducive to solving the issues before the Board, listening to various points of view and using respectful language and behaviour in relation to all of those in attendance.*

*Various statutes, the Board's Operating By-law and decisions by courts and quasi-judicial tribunals and the Information and Privacy Commission, establish when the Board can discuss issues in closed session. Transparency requires that the Board apply these regulations narrowly so as to best ensure that decisions are held in public session as often as possible.*

*Unless prohibited by law, Trustees should clearly identify to the public how a decision was reached and the rationale for doing so.*

### **Section 3**

*Individual Trustees are appointed to committees, agencies, boards and commissions based on their various backgrounds and their ability to contribute to matters before them, bringing their expertise and experience. Trustees should not be absent from the Board or committee meetings, or from those of agencies, boards and commissions to which they are appointed without reasonable justification (for example, illness of the Trustee, family circumstance, or other Board business) for more than three consecutive scheduled meetings or on a regular basis.*

### **Section 4**

#### **10. Media Communications Commentary:**

*A Trustee may state that he/she did not support a decision, or voted against the decision. A Trustee should refrain from making disparaging comments about other Trustees or about the Board's processes and decisions.*

*When communicating with the media, a Trustee should at all times refrain from speculating or reflecting upon the motives of other Trustees in respect of their actions as a Trustee.*

*While openness in government is critical, governments also must respect confidentiality when a matter must remain, at least for a period of time, confidential. Breaches of confidentiality by Trustees erodes public confidence.*

*While Trustees are encouraged to actively participate in vigorous debate, Trustees should understand that they are part of a democratically elected representative body and should not engage in social media as if they are outsiders. In this regard, caution should be exercised when blogging, posting, tweeting, re-posting and linking to posts using social media, whether the member is using a personal account or a Board account.*

*Trustees who post blogs should recognize that the Canadian Association of Journalists has identified the ethical conflict faced by journalists holding elected public office. It is recognized that there may be an irreconcilable conflict in carrying out both roles at the same time.*

*While social media can be an excellent tool for communicating quickly with constituents and sharing ideas and obtaining input, social media can breed incivility that generally is avoided in face-to-face interactions. In a world where a transitory comment can become part of the permanent record, Trustees should*

*exercise restraint in reacting too quickly, or promoting the social media posts of others whose views may be disparaging of the Board's decisions or another Trustee's perspectives.*

**11. ~~Respect for Board By-laws and Policies~~ Commentary:**

~~*A Trustee must not encourage disobedience of a Board decision or by law in responding to a member of the public, as this undermines confidence in the Board and in the Rules of Law.*~~

**11.12. Respectful Workplace Commentary:**

*It is the policy of Board of Trustees that all persons be treated fairly in the workplace in an environment free of discrimination or personal and sexual harassment.*

*The Board's Harassment and Discrimination Policy H.M.14 ensures a safe and respectful workplace environment and provides for the appropriate management of any occurrences of harassment and discrimination as those terms are defined in the policy.*

*The Board's Harassment and Discrimination Policy H.M.14 applies equally to members of staff and Trustees. It will provide guidance to the Integrity Commissioner when a complaint is received involving a Trustee.*

**12.13. Conduct Respecting Staff Commentary:**

*Under the direction of the Director of Education, staff serve the Board as a whole, and the combined interests of all Trustees as evidenced through the decisions of the Board. Only the Board as a whole has the authority to approve budget, policy, committee processes and other matters.*

*Accordingly, Trustees shall direct requests outside of the Board-approved budget, process or policy, to the Director of Education or directly to the Board.*

*In practical terms, there are distinct and specialized roles carried out by the Board as a whole and by the Trustees when performing their other roles. The key requirements of these roles include dealing with constituents and the general public, participating as committee members and as chairs of committees, and participating as Board representatives on agencies, boards,*

*commissions and other bodies. Similarly, there are distinct and specialized roles expected of Board staff in both the carrying out of their responsibilities and in dealing with the Board. Staff are expected to provide information to Trustees that they are entitled to.*

*Board staff are accountable to the Director of Education who is accountable to the Board. Sometimes the line between staff duties and activities that are political in nature is not clear. Trustees must respect the difference between the two in making requests of staff.*

*Trustees should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalty of persons in power, or their personal opinions.*

*the Board's Harassment and Discrimination Policy H.M.14 , Code of Conduct Policy S.S.09 applies to Trustees. Staff and Trustees are entitled to be treated with respect and dignity in the workplace.*

*It is inappropriate for a Trustee to attempt to influence staff to circumvent normal processes, or overlook deficiencies in an operational matter. It is also inappropriate for Trustees to involve themselves in matters of administration or departmental management which fall within the jurisdiction of the Director of Education. Any such attempts may be reported to the Integrity Commissioner.*

**13. 14. Employment of a Trustee's Relatives/Family Members and Acquaintances Commentary:**

*If a Family member of a Trustee is an applicant for employment with the Board or is a candidate for promotion or transfer, the Family member will proceed through the usual selection process pursuant to the Board's hiring policies, with no special consideration.*

**14. 15. Not Undermine, Work Against the Board's Decisions  
Commentary: Section 1**

*The role of elected officials, once a Board decision is made, is to support the implementation of that decision, not to work against its implementation, publicly or behind the scenes. the Board decisions are arrived at following discussion and debate, reflecting the democratic process. Trustees are expected to engage in debate with their fellow the Board members through the democratic process of government. However, once the Board has made its decision, Trustees must*

*recognize that decision as the duly considered decision of the Board. As members of that body, Trustees who do not agree with the decision - are not to engage in activities that seek to challenge or undermine that decision.*

*Trustees can express disagreement with the Board's decisions, but it is contrary to the ethical behaviour of Trustees to actively seek to undermine, challenge or work against the Board's decisions.*

## **Section 2**

*When members are allowed to participate in activities to challenge the Board's properly considered decisions, such as legal challenges or other forms of litigation, this is contrary to the interests of the TCDSB as determined by the decision of the democratically elected governing body, the Board. Formal advocacy can create challenges to staff as to when and how much information can be provided to the Board (legal advice for example) because of the potential for a legal challenge, which may benefit an involved Trustee who would have 'insider knowledge'.*

### **15. ~~16.~~ Reprisals and Obstruction Commentary:**

*No Commentary*

### **16. ~~17.~~ Acting on Advice of Integrity Commissioner Commentary:**

*No Commentary*

### **17. ~~18.~~ Implementation Commentary:**

*Trustees are expected to understand the obligations an elected official set out in this Trustee Code of Conduct and are encouraged to contact the Integrity Commissioner for any clarification required. A Trustee Code of Conduct component will be included as part of the orientation for each new term of the Board.*

---

## Commentary on Trustee Code of Conduct

---

### Regulation Commentary

1. Avoidance of Conflicts of Interest	2
2. Gifts, Benefits and Hospitality	3
3. Trustee's Role in Funding Charitable/Community Events	4
4. Confidential Information	4
5. Use of Board Resources	5
6. Election Campaigns	5
7. Improper Use of Influence	6
8. Business Relations	6
9. Trustee Conduct	6
10. Media Communications	7
11. Respectful Workplace	8
12. Conduct Respecting Staff	8
13. Employment of a Trustee's Family Members and Acquaintances	9
14. Not Undermine, Work Against the Board's Decisions	9
15. Reprisals and Obstruction	10
16. Acting on Advice of Integrity Commissioner	10
17. Implementation	10



## **Regulations**

### **1. Avoidance of Conflicts of Interest Commentary:**

#### **Sections 1 – 4 Commentary**

Trustees should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and private conflicts of interest, both apparent and real. Trustees shall also not extend in the discharge of their official duties, preferential treatment to Family members, organizations or groups in which they or their Family members have a direct or indirect pecuniary interest.

Trustees have a common understanding that in carrying out their duties as a Trustee, they will not participate in activities that grant, or appear to grant, any special consideration, treatment or advantage to a Family member or an individual which is not available to every other individual.

Trustees may seek conflict of interest or other advice, in writing, from the Integrity Commissioner. Where members choose to seek external legal advice on conflict of interest or other Code of Conduct issues, these fees will not be reimbursed by the TCDSB and cannot be charged to any office account.

When a member, despite the existence of an interest, believes that he or she may still participate in a matter with an open mind, the public interest is best served when the Trustee is able to articulate the interest, and why the interest does not amount to a disqualifying conflict of interest.

Trustees must remain at arm's length when Board staff or the Board is asked to consider a matter involving a Family member or a person or organization with whom the Trustee has a real or apparent conflict of interest.

#### **Sections 5 – 9 Commentary**

Trustees should exercise caution if accepting such positions if the organization could be seeking a benefit or preferential treatment from the Board at any time.

The legislative obligation is set out in the Municipal Conflict of Interest (MCIA). If the Trustee, or a family member of the Trustee, sits on a body which has a pecuniary interest in a matter before the Board (such as an application for grant, support or other contribution), that Trustee has a deemed pecuniary interest. The Trustee should disclose the interest and should not participate in or vote on such matter, in compliance with the obligations of s.5, MCIA.

The Trustee Code of Conduct captures the broader common law responsibility and requires members to avoid the appearance of favoring organizations or groups on which the Trustee's family members serve.

Family members of Trustees are not precluded, or even discouraged, from serving on not-for-profit organizations or other bodies. However, where family members of Trustees serve in such a capacity, the Trustee should declare a conflict of interest whenever there is a matter for the Board consideration in which the not-for-profit organization or body has a pecuniary interest.

## **2. Gifts, Benefits and Hospitality Commentary:**

Gifts and benefits are often received by elected officials in the course of their duties and attendance at public functions is expected and is considered part of their role. Business-related entertainment and gift-giving can be a token of respect and admiration for the elected official, but can also be seen as an instrument of influence and manipulation. The object of this regulation is to provide transparency around the receipt of incidental gifts and benefits and to establish a threshold where the total value could be perceived as potentially influencing a decision.

The practical problems that nominal gifts and benefits create require a Trustee Code of Conduct that provides clarity and transparency. Personal integrity and sound business practices require that relationships with developers, vendors, contractors or others doing business with the Board be such that no Trustee is perceived as showing favouritism or bias toward the giver. There will never be a perfect solution.

Each Trustee is individually accountable to the public and is encouraged to keep a list of all gifts and benefits received from individuals, firms or associations, with estimated values, for review by the Integrity Commissioner in the event of a complaint.

Use of real estate or significant assets or facilities (i.e. a vehicle, office, vacation property or club membership) at a reduced rate or at no cost is not an acceptable gift or benefit. The purpose of the Code is not to prohibit Trustees from accepting all invitations to socialize at a vacation property with personal friends who are in no way associated with the business of the TCDSB.

Proper caution and diligence must however be exercised when a social function occurs within close proximity to the individual having an issue before the Board or staff for approval. It is always prudent to consult with the Integrity Commissioner before accepting or attending at any such engagements. Any doubts about the propriety of a gift should be resolved in favour of not accepting it or not keeping it.

It may be helpful to consult with the Integrity Commissioner when a Trustee chooses to decline a gift as well as when a recipient may opt to keep a gift.

An invitation to attend a function with a developer or supplier could be seen as allowing the giver an opportunity to influence the elected official. Such invitations should only be accepted if the invitation is within the scope of permissible gifts and benefits, meaning that Trustees should not consistently accept invitations from the same individual or corporation and should avoid any appearance of favouritism.

An invitation to attend a fund-raising gala, provided the Trustee is not consistently attending such events as a guest of the same individual or corporation, is also part of the responsibilities of holding public office. Where a Trustee is uncertain in regard to whether an invitation is or is not appropriate, it may be prudent to consult with the Integrity Commissioner before attending any such event.

Regular invitations to lunch or dinner with persons who are considered friends of Trustees is acceptable in situations where the Trustee pays their portion of the meal expense and treats it as a personal expense, meaning a claim is not made under the Trustee Services and Expenditures Policy T.17. Proper caution and diligence not to discuss matters before the Board for a decision must be exercised at all times. When in doubt it is prudent to consult with the Integrity Commissioner.

### **3. Trustee's Role in Funding Charitable/Community Events Commentary:**

By virtue of the office, Trustees will be called upon to assist various charities, service clubs and other non-profits as well as community associations, by accepting an honorary role in the organization, lending their name or support to it or assisting in fundraising. Transparency and accountability are best achieved in today's era by encouraging contributors to make donations to such organizations on-line through a website or where that is not possible through a cheque made payable directly to the organization. Cash should never be accepted.

### **4. Confidential Information Commentary:**

Confidential Information includes information in the possession of, or received in confidence by, the TCDSB that the TCDSB is either prohibited from disclosing, or is required to refuse to disclose, under the Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA"), or any other legislation.

MFIPPA restricts or prohibits disclosure of information received in confidence from third parties of a corporate, commercial, scientific or technical nature, information that is personal, and information that is subject to solicitor-client privilege.

The Education Act allows information that concerns personnel, labour relations, litigation, property acquisitions and security of the property of the Board, and matters authorized in other legislation including MFIPPA, to remain confidential. For the purposes of the Trustee Code of Conduct, “confidential information” includes this type of information.

As elected officials, Trustees will receive highly sensitive and confidential information concerning residents who need their assistance. This is consistent with the nature of the Trustees’ duties Constituency records that are at all times under the control of the Trustee and are not subject to MFIPPA.

Where it is clear that a communication was not made in a confidential manner (i.e.; copied to others, or made in the presence of others) or the manner of communication undermines the validity of labelling it “Confidential”, such communication will not be given any higher level of confidentiality than any other communication. The words “Privileged”, “Confidential” or “Private” will not be understood to preclude the appropriate sharing of the communication for the limited purpose of reviewing, responding or looking into the subject-matter of the communication.

#### **5. Use of Board Resources Commentary:**

Trustees, by virtue of their position, have access to a wide variety of property, equipment, services and supplies to assist them in the conduct of their Board duties as public officials.

Trustees are held to a higher standard of behaviour and conduct and therefore should not use TCDSB property for any purpose other than for carrying out their official duties. For clarity, this Regulation is intended to prohibit the use of Board resources for purposes such as running a home business. It is not intended to prohibit occasional personal use, but it should be subject to practical limitations.

Careful attention should be given to the provisions of the Board’s Trustee Services and Expenditures Policy T.17 which identifies allowable expenses. During election campaigns, the provisions of Regulations 6 and 7 will apply.

#### **6. Election Campaigns Commentary:**

Staff should not interpret or provide advice to Trustees regarding the requirements placed on candidates for municipal office.

Trustees should not authorize any event that could be perceived as the TCDSB providing them with an advantage over other candidates. It is the personal responsibility of Trustees to ensure that any use of facilities or the services of staff

are carried out in accordance with applicable legislation. Staff are not responsible for monitoring and advising Trustees or any other candidates, in this regard.

## **7. Improper Use of Influence Commentary:**

Examples of prohibited conduct are the use of one's status as a Trustee to improperly influence the decision of another person to the private advantage of oneself, or one's Family member, or friends. This would include attempts to secure preferential treatment beyond activities in which Trustees normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of a future advantage through a Trustee's supposed influence within the Board in return for present actions or inaction.

Contact with members of tribunals appointed by the Board on any case might be viewed as attempts to intimidate the tribunal member. Generally, Trustees should not take part in the proceedings of any other tribunal where the Board is a party unless such participation is approved by the Integrity Commissioner.

## **8. Business Relations Commentary:**

No Commentary.

## **9. Trustee Conduct Commentary:**

### **Section 1 – 5**

As leaders in the community, Trustees are held to a higher standard of behaviour and conduct, and accordingly their behaviour should be exemplary.

A Trustee must not encourage disobedience of a Board decision or by-law in responding to a member of the public, as this undermines confidence in the Board and in the Rules of Law.

A Trustee must not encourage disobedience of a Board decision or by-law in responding to a member of the public, as this undermines confidence in the Board and in the Rules of Law.

Trustees are required to observe the policies and procedures established by the Board at all times, and are directed to pay special attention to, and comply strictly with, the Board's Operating By-law and Trustee Services and Expenditures Policy T.17. In

exceptional circumstances, a Trustee may request the Board grant an exemption from any policy.

## **Section 6 - 9**

Trustees recognize the importance of cooperation and strive to create an atmosphere during Board and committee meetings that is conducive to solving the issues before the Board, listening to various points of view and using respectful language and behaviour in relation to all of those in attendance.

Various statutes, the Board's Operating By-law and decisions by courts and quasi-judicial tribunals and the Information and Privacy Commission, establish when the Board can discuss issues in closed session. Transparency requires that the Board apply these regulations narrowly so as to best ensure that decisions are held in public session as often as possible.

Unless prohibited by law, Trustees should clearly identify to the public how a decision was reached and the rationale for so doing.

Individual Trustees are appointed to committees, agencies, boards and commissions based on their various backgrounds and their ability to contribute to matters before them, bringing their expertise and experience. Trustees should not be absent from the Board or committee meetings, or from those of agencies, boards and commissions to which they are appointed without reasonable justification (for example, illness of the Trustee, family circumstance, or other Board business) for more than three consecutive scheduled meetings or on a regular basis.

## **10. Media Communications Commentary:**

A Trustee may state that he/she did not support a decision, or voted against the decision. A Trustee should refrain from making disparaging comments about other Trustees or about the Board's processes and decisions.

When communicating with the media, a Trustee should at all times refrain from speculating or reflecting upon the motives of other Trustees in respect of their actions as a Trustee.

While openness in government is critical, governments also must respect confidentiality when a matter must remain, at least for a period of time, confidential. Breaches of confidentiality by Trustees erodes public confidence.

While Trustees are encouraged to actively participate in vigorous debate, Trustees should understand that they are part of a democratically elected representative body

and should not engage in social media as if they are outsiders. In this regard, caution should be exercised when blogging, posting, tweeting, re-posting and linking to posts using social media, whether the member is using a personal account or a Board account.

Trustees who post blogs should recognize that the Canadian Association of Journalists has identified the ethical conflict faced by journalists holding elected public office. It is recognized that there may be an irreconcilable conflict in carrying out both roles at the same time.

While social media can be an excellent tool for communicating quickly with constituents and sharing ideas and obtaining input, social media can breed incivility that generally is avoided in face-to-face interactions. In a world where a transitory comment can become part of the permanent record, Trustees should exercise restraint in reacting too quickly, or promoting the social media posts of others whose views may be disparaging of the Board's decisions or another Trustee's perspectives.

#### **11. Respectful Workplace Commentary:**

It is the policy of Board of Trustees that all persons be treated fairly in the workplace in an environment free of discrimination or personal and sexual harassment.

The Board's Harassment and Discrimination Policy H.M.14 ensures a safe and respectful workplace environment and provides for the appropriate management of any occurrences of harassment and discrimination as those terms are defined in the policy.

The Board's Harassment and Discrimination Policy H.M.14 applies equally to members of staff and Trustees. It will provide guidance to the Integrity Commissioner when a complaint is received involving a Trustee.

#### **12. Conduct Respecting Staff Commentary:**

Under the direction of the Director of Education, staff serve the Board as a whole, and the combined interests of all Trustees as evidenced through the decisions of the Board. Only the Board as a whole has the authority to approve budget, policy, committee processes and other matters.

Accordingly, Trustees shall direct requests outside of the Board-approved budget, process or policy, to the Director of Education or directly to the Board.

In practical terms, there are distinct and specialized roles carried out by the Board as a whole and by the Trustees when performing their other roles. The key requirements

of these roles include dealing with constituents and the general public, participating as committee members and as chairs of committees, and participating as Board representatives on agencies, boards, commissions and other bodies. Similarly, there are distinct and specialized roles expected of Board staff in both the carrying out of their responsibilities and in dealing with the Board. Staff are expected to provide information to Trustees that they are entitled to.

Board staff are accountable to the Director of Education who is accountable to the Board. Sometimes the line between staff duties and activities that are political in nature is not clear. Trustees must respect the difference between the two in making requests of staff.

Trustees should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalty of persons in power, or their personal opinions.

The Board's Harassment and Discrimination Policy H.M.14 , Code of Conduct Policy S.S.09 applies to Trustees. Staff and Trustees are entitled to be treated with respect and dignity in the workplace.

It is inappropriate for a Trustee to attempt to influence staff to circumvent normal processes, or overlook deficiencies in an operational matter. It is also inappropriate for Trustees to involve themselves in matters of administration or departmental management which fall within the jurisdiction of the Director of Education. Any such attempts may be reported to the Integrity Commissioner.

### **13. Employment of a Trustee's Family Members and Acquaintances Commentary:**

If a Family member of a Trustee is an applicant for employment with the Board or is a candidate for promotion or transfer, the Family member will proceed through the usual selection process pursuant to the Board's hiring policies, with no special consideration.

### **14. Not Undermine, Work Against the Board's Decisions Commentary:**

#### **Section 1**

The role of elected officials, once a Board decision is made, is to support the implementation of that decision, not to work against its implementation, publicly or behind the scenes. The Board decisions are arrived at following discussion and debate, reflecting the democratic process. Trustees are expected to engage in debate with their fellow the Board members through the democratic process of government.



However, once the Board has made its decision, Trustees must recognize that decision as the duly considered decision of the Board. As members of that body, Trustees who do not agree with the decision - are not to engage in activities that seek to challenge or undermine that decision.

Trustees can express disagreement with the Board's decisions, but it is contrary to the ethical behaviour of Trustees to actively seek to undermine, challenge or work against the Board's decisions.

## **Section 2**

When members are allowed to participate in activities to challenge the Board's properly considered decisions, such as legal challenges or other forms of litigation, this is contrary to the interests of the TCDSB as determined by the decision of the democratically elected governing body, the Board. Formal advocacy can create challenges to staff as to when and how much information can be provided to the Board (legal advice for example) because of the potential for a legal challenge, which may benefit an involved Trustee who would have 'insider knowledge'.

### **15. Reprisals and Obstruction Commentary:**

No Commentary.

### **16. Acting on Advice of Integrity Commissioner Commentary:**

No Commentary.

### **17. Implementation Commentary:**

Trustees are expected to understand the obligations an elected official set out in this Trustee Code of Conduct and are encouraged to contact the Integrity Commissioner for any clarification required. A Trustee Code of Conduct component will be included as part of the orientation for each new term of the Board.

## Appendix G

### **Guide to Trustee Code of Conduct: Procedure for Complaints**

#### **What is the Trustee Code of Conduct?**

*A policy which guides Trustees in discharging their duties and responsibilities in a professional and ethical manner consistent with Board Policy, Catholic Values and applicable legal requirements. The [Trustee Code of Conduct Policy](#) serves to enhance public trust and improve the quality of Board governance by encouraging high standards of conduct on the part of the Trustees, ensuring that they share a common standard of integrity through adherence to its provisions.*

#### **Who can make a complaint under the Trustee Code of Conduct?**

*The following are considered to be Eligible Complainants:*

- a) a Trustee, student, staff member, contractor or service provider of the TCDSB;*
- b) a Roman Catholic (Separate School) elector;*
- c) an Eastern Rite Catholic;*
- d) a representative of an organization demonstrably interested in TCDSB matters; or*
- e) such other persons demonstrably interested in TCDSB matters.*

#### **What is the process for filing a complaint?**

*Any Eligible Complainant who has identified or witnessed behaviour or an activity by a Trustee that they believe is in contravention of the Trustee Code of Conduct (the “Code”) is encouraged to address the prohibited behaviour or activity themselves by discussing the complaint directly with the Trustee. Steps a complainant might take in that regard include:*

- advising the Trustee that the behaviour or activity contravenes the Code;*
- encouraging the Trustee to stop the prohibited behaviour or activity;*

- keeping a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
- if applicable, confirming to the Trustee their satisfaction with the response of the Trustee; or, if applicable, advising the Trustee of their dissatisfaction with the response; and
- considering the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B of the Complaint Protocol, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

*An unresolved complaint may be filed with the Board's Integrity Commissioner by completing the Complaint Form set out at Schedule "A" of the Code of Conduct Complaint Protocol [link to the page] and submitting it to [postoffice@principlesintegrity.org](mailto:postoffice@principlesintegrity.org). Questions about the process may be sought by an email sent to the same address.*

*If a complaint involves an allegation of a conflict of interest under the Municipal Conflict of Interest Act, the Integrity Commissioner may where appropriate require that a formal statutory declaration be submitted in accordance with the requirements of that statute. The Integrity Commissioner will advise the complainant as necessary in this regard.*

### **What happens once a formal complaint is made?**

*The Integrity Commissioner will contact the complainant to explain the process by which the complaint will be dealt with. If a formal investigation is commenced, the respondent Trustee, the complainant, and any relevant witnesses will be interviewed by the Integrity Commissioner. Where appropriate, additional information such as communications, documents, internet postings and other materials will be assessed for relevant evidence.*

*If it appears that the complaint will be sustained in whole or in part, the Integrity Commissioner will prepare a draft findings report and provide it to the responding Trustee for response. After considering the Trustee's response, if there remain findings that there has been a substantive breach*

*to an ethical standard, the Integrity Commissioner will finalize the report and may make recommendations to the Board for the imposition of a sanction.*

*For a graphical representation of the process, including the potential applicable sanctions, please see [Appendix B to the Complaint Protocol](#).*

### **Will every complaint be pursued?**

*The Integrity Commissioner has the responsibility of determining whether it is in the public interest to pursue the complaint through a formal investigation. Even where a formal investigation is not commenced, the Integrity Commissioner may assist in resolving the complaint. Complaints which are about Board staff, about policy decisions made by the Board, or are otherwise not linked to an allegation that a Trustee has not met the ethical standards set out in the Code of Conduct will not be pursued.*

### **Can I make a complaint anonymously?**

*The Integrity Commissioner must know the identity and have the contact information for every complainant. In addition, in most cases the Trustee who is subject to the complaint will be informed of the complainant's identity so that they may properly respond to the complaint. Unless a complainant is another Trustee, or a senior staff member of the TCDSB, the identity of a complainant will generally not be included in any public report made to the Board on the matter unless the identity is already widely-known or it is essential for the purpose of understanding the report. The complaint form and the complaint process is available in the [Trustee Code of Conduct Protocol \(Appendix A\)](#).*



**POLICY SECTION:** TRUSTEES Administration and Governance  
**SUB-SECTION:**  
**POLICY NAME:** TRUSTEE HONORARIUM  
**POLICY NO:** T-05

<b>Date Approved:</b> November 2012	<b>Date of Review:</b> October 2027	<b>Date of Amendment:</b> October 27, 2022; November 6, 2024
<b>Cross Reference:</b> Ontario Regulation 357/06 – Honoraria for Board Members		

**Purpose:**

**Responsible Department:**  
Finance

**Policy**

A Board ~~The policy is required to~~ establishes the rules and regulations regarding the payment of trustee honorariums in compliance with the Education Statutes and Regulations of Ontario.

The Toronto Catholic District School Board will pay an honorarium to its trustees in accordance with the provisions of the *Education Act* and associated regulations.

The policy is in alignment with the Toronto Catholic District School Board’s (TCDSB) Multi-Year Strategic Plan (MYSP) and reflects Catholic values rooted in the love of Christ.

**Scope and Responsibility:**

The policy governs the manner in which the Toronto Catholic District School Board shall pay trustees, not including the student trustee, an honorarium as prescribed by the Education Act and Regulations of Ontario.

**~~Alignment with MYSP:~~**

**~~Learning—Growing in Knowledge~~**

~~Continue to develop a Christ-centered learning organization in pursuit of knowledge, innovation, and responsiveness.~~

**~~Financial Impact:~~**

**~~Legal Impact:~~**

~~This policy complies with the Education Act and Ontario Regulation 357/06.~~

**Regulations:**

1. The cost of providing honorarium components as prescribed by Ontario Regulation 357/06 is fully funded by the Ministry of Education. Payment of the maximum honorarium entitlement is the current practice at the Toronto Catholic District School Board.
2. The Board shall pay the maximum amount of the following components of an annual honorarium for trustees, other than a student trustee, whose term of office commences, November 15th, as prescribed by Ontario Regulation 357/06:
  - a. The base amount for each year of the term of office:
    - Chair - \$10,900
    - Vice Chair - \$8,400
    - Trustee - \$5,900
  - b. The enrolment amount for each year of the term of office:
    - To be recalculated annually based on prior year enrolment
    - 100% of the maximum enrolment amount to be paid
  - c. The attendance amount for each year of the term of office:
    - For attending any meeting of a Committee of the Board that is required to be established by an Act or a Regulation made under an Act
    - Maximum of \$50 per meeting

- d. The distance amount for each year of the term of office:
  - TCDSB does not meet the requirements of this component
3. The defined honorarium components to be paid to trustees shall be recalculated annually and reported to the Board each October.
4. **For the purposes of a sanction imposed by the Integrity Commissioner, the maximum amount of a reduction for a trustee's honorarium for a breach of the Trustee Code of Conduct is twenty-five (25) per cent (%) of the trustee's combined base and enrolment amount for the year of the term of office in which the breach occurred.**

**Definitions:**

~~Not of significance in this policy~~

**Evaluation and Metrics:**

Annual Trustee Honorarium Report



<b>POLICY NAME:</b>	<b>TRUSTEE HONORARIUM</b>
POLICY SECTION:	Administration and Governance
DATE APPROVED:	November 2012
DATE OF NEXT REVIEW:	October 2027
DATES OF AMENDMENTS:	October 27, 2022; November 6, 2024
RESPONSIBLE DEPARTMENT:	Finance

---

### **Policy:**

The policy establishes the rules and regulations regarding the payment of trustee honorariums in compliance with the Education Statutes and Regulations of Ontario.

The Toronto Catholic District School Board will pay an honorarium to its trustees in accordance with the provisions of the *Education Act* and associated regulations.

The policy is in alignment with the Toronto Catholic District School Board's (TCDSB) Multi-Year Strategic Plan (MYSP) and reflects Catholic values rooted in the love of Christ.

### **Scope and Responsibility:**

The policy governs the manner in which the Toronto Catholic District School Board shall pay trustees, not including the student trustee, an honorarium as prescribed by the Education Act and Regulations of Ontario.

### **Regulations:**

1. The cost of providing honorarium components as prescribed by Ontario Regulation 357/06 is fully funded by the Ministry of Education. Payment of the maximum honorarium entitlement is the current practice at the Toronto Catholic District School Board.
2. The Board shall pay the maximum amount of the following components of an annual honorarium for trustees, other than a student trustee, whose term of office commences, November 15th, as prescribed by Ontario Regulation 357/06:



[Type here]

- a. The base amount for each year of the term of office:
    - Chair - \$10,900
    - Vice Chair - \$8,400
    - Trustee - \$5,900
  - b. The enrolment amount for each year of the term of office:
    - To be recalculated annually based on prior year enrolment.
    - 100% of the maximum enrolment amount to be paid.
  - c. The attendance amount for each year of the term of office:
    - For attending any meeting of a Committee of the Board that is required to be established by an Act or a Regulation made under an Act.
    - Maximum of \$50 per meeting.
  - d. The distance amount for each year of the term of office:
    - TCDSB does not meet the requirements of this component.
3. The defined honorarium components to be paid to trustees shall be recalculated annually and reported to the Board each October.
  4. For the purposes of a sanction imposed by the Integrity Commissioner, the maximum amount of a reduction for a trustee's honorarium for a breach of the Trustee Code of Conduct is twenty-five (25) per cent (%) of the trustee's combined base and enrolment amount for the year of the term of office in which the breach occurred.

**Cross References:**

- Ontario Regulation 357/06 - Honoraria for Board Members

**Evaluation and Metrics:**

Annual Trustee Honorarium Report



REPORT TO

GOVERNANCE AND POLICY  
COMMITTEE

2025 CALENDAR OF BOARD AND COMMITTEE MEETINGS

*and assemble the whole congregation at the entrance of the tent of meeting. Leviticus 8:*

Drafted	Meeting Date
October 25, 2024	November 6, 2024
Derek Luk, Senior Policy Advisor Shazia Vlahos, Chief Communications Officer, Policy, Government Relations & Strategy Antonella Ceddia, Executive General Legal Counsel Brendan Browne, Director of Education	
<p><b>RECOMMENDATION REPORT</b></p>	

**Vision:** *IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope.*

**Mission:** *Nurturing the faith development and academic excellence of our Catholic learning community through the love of God, neighbour, and self.*



Brendan Browne  
Director of Education

Adrian Della Mora  
Associate Director of Academic Affairs & Chief Operating Officer

Derek Boyce  
Associate Director of Corporate Services and Chief Commercial Officer

Ryan Putnam  
Chief Financial Officer and Treasurer

## **A. EXECUTIVE SUMMARY**

The report addresses a GAP pending item where Board referred the report on the 2025 Calendar of Board and Committee Meetings (Appendix A) to GAP and provides a proposed 2025 Annual Calendar of Board and Committee Meetings (Appendix B) for GAP's consideration.

**The cumulative staff time required to prepare this report was 30 hours.**

## **B. PURPOSE**

1. The report addresses a GAP pending item and provides a draft 2025 Annual Calendar of Board and Committee Meetings for GAP's consideration.

## **C. BACKGROUND**

1. At the August 22, 2024 Regular Board meeting, Trustees approved the following motion: "BE IT RESOLVED THAT: Staff come back with a report on options and advice on how to cut back on Committee meetings (maybe one Board meeting per month)."
2. At the September 19, 2024 Regular Board meeting, Trustees reviewed the options presented and approved the following motion: "This report be referred to the Governance and Policy Committee to explore how to maintain levels of governance and transparency and how to reduce the number of meetings to a more manageable level."
3. As per the Annual Calendar of Reports and Policy Metrics, a report for review and approval of the Annual Calendar of Board and Committee Meetings details for the following year is brought forward to the Board in November each year.

## **D. EVIDENCE/RESEARCH/ANALYSIS**

1. The dates selected for the Annual Calendar reflect Statutory Holidays. The Student Achievement and Well Being, Catholic Education and Human Resources Committee (Student Achievement) meeting is typically held on the first Thursday of each month; and the Corporate Services, Strategic Planning and Property Committee (Corporate Services) meeting is held on the second Thursday.

2. Article 4.2 of the Toronto Catholic District School Board’s Operating By-Law 175 requires the Board to meet on the third Thursday in each month unless otherwise ordered by a special motion.
3. Meetings are not normally held during the summer month of July and only one Board meeting is held in the month of August in order to facilitate return from the Board-wide closure in the summer months.
4. Below are the exceptions to the By-law requirement and adopted practices for scheduling the Committee meetings for the year 2025 and the reasons for those exceptions:

NEW DATE	MEETING	REASON
January 2025	All meetings  SEAC  <b>Corporate Services</b>  Regular Board	Scheduled one week later to accommodate the Christmas holidays.  Scheduled one week earlier, Wednesday, January 8, to accommodate the OCSTA Winter Trustee Seminar (January 16-18).  <b>Not scheduled to accommodate OCSTA Winter Trustee Seminar (January 16-18) and ECCODE Winter Meetings (January 21-23) and the return from the Christmas break.</b>  Scheduled one week later, Thursday, January 30, to accommodate the ECCODE Winter Meeting (January 21-23).
February 2025	<b>Student Achievement</b>  Regular Board	<b>Not scheduled in consideration of past agendas.</b>  Scheduled one week later, Thursday, February 27, to accommodate the Congress Catholic Education Conference (February 20-23).
March 2025	SEAC	Scheduled one week later, March 19, to accommodate March Break (March 10-14).

	<p>Student Achievement</p> <p><b>Corporate Services</b></p> <p>Regular Board</p>	<p>Scheduled later in the month, Thursday, March 20 due to March Break (March 10-14).</p> <p><b>Not scheduled to consolidate with March 27 Regular Board meeting.</b></p> <p>Scheduled one week later, March 27, due to March Break.</p>
<p>April 2025</p>	<p>Student Achievement</p> <p>Regular Board</p>	<p>Scheduled one week later, Tuesday, April 8, to accommodate ERDI Conference (April 2 –5).</p> <p>Scheduled one week later, Thursday, April 24, to accommodate Holy Week (Easter) (April 14-18).</p>
<p>May 2025</p>	<p><b>Student Achievement</b></p> <p>Regular Board</p>	<p><b>Not scheduled in consideration of ECCODE and OCSOA AGM in May (14-16) involving all senior staff, as well as Student Achievement meeting being scheduled at the end of the month, May 29, before June.</b></p> <p>Scheduled one week later, Thursday, May 22, to accommodate the ECCODE and OCSOA AGM (May 14-16).</p>
<p>June 2025</p>	<p>Student Achievement</p> <p>SEAC</p>	<p>Scheduled one week earlier, Thursday, May 29, to accommodate June graduations and the CCSTA AGM (June 5 – 7).</p> <p>Scheduled one week earlier, Wednesday, June 4, to accommodate the scheduling of the Regular Board meeting during the second week of the month.</p>

	<b>Corporate Services</b>	<b>Not scheduled due to shortened month with CCSTA AGM (June 5-7) and June graduations. Corporate items to be placed on June 12 Regular Board Meeting Agenda.</b>
	Regular Board	Scheduled one week earlier, Thursday, June 12, to accommodate June graduations.
October 2025	Regular Board	Scheduled one week later, Thursday, October 23, to accommodate ERDI Conference (October 15-18).
December 2025	<b>Corporate Services</b>	<b>Not scheduled. Corporate items to be placed on December 11 Regular Board Meeting Agenda.</b>
	Regular Board	Scheduled one week earlier, Thursday, December 11, to accommodate Advent celebrations and Christmas break.

**E. STAFF RECOMMENDATION**

Staff recommends that proposed Annual Calendar of Board and Committee Meetings provided in Appendix B be approved.



REPORT TO

REGULAR BOARD


## SCHEDULING OF MONTHLY MEETINGS REQUIRING ALL TRUSTEES

*Jesus said to them, "I am the bread of life, he who comes to Me will not hunger, and he who believes in Me will never thirst - John 6:35*

Drafted	Meeting Date
September 4, 2024	September 19, 2024
Brendan Browne, Director of Education	
<b>INFORMATION REPORT</b>	


**Vision:** *IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope.*

**Mission:** *Nurturing the faith development and academic excellence of our Catholic learning community through the love of God, neighbour, and self.*



**MULTI-YEAR STRATEGIC PLAN**  
2022 - 2025

*IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope*



Brendan Browne  
Director of Education

Adrian Della Mora  
Associate Director of Academic Affairs & Chief Operating Officer

Derek Boyce  
Associate Director of Corporate Services and Chief Commercial Officer

Ryan Putnam  
Chief Financial Officer and Treasurer

## A. EXECUTIVE SUMMARY

Every November, a draft “Calendar of Board and Committee Meetings” report is brought to Trustees for approval for the coming year.

At the August 22<sup>nd</sup> Regular Board meeting, Trustees approved the following motion: *“BE IT RESOLVED THAT: Staff come back with a report on options and advice on how to cut back on Committee meetings (maybe one Board meeting per month).”*

This report considers Toronto Catholic District School Board’s (TCDSB) current practices for the scheduling of Board and Committee meetings, existing practices in other Ontario school boards, and options to consider regarding the scheduling of meetings as per the motion.

**The cumulative staff time required to prepare this report was 4 hours.**

## B. PURPOSE

1. The purpose of this report is to provide information to the Board of Trustees about options on how to cut back on the number of Committee meetings scheduled each year.

## C. BACKGROUND

1. The TCDSB typically schedules three meetings per month at which all trustees attend: Regular Meeting of the Board, Student Achievement and Well-Being Committee, and Corporate Services Committee.
2. Attendance at the monthly Regular Meeting of the Board is required for all Trustees under the Education Act.
3. Attendance at Student Achievement and Well-Being Committee and Corporate Services Committee is required for all Trustees under TCDSB By Law 5.3 “Composition of Standing Committees” which states “Membership of two (2) of the Standing Committees: Corporate Services and Student Achievement, shall include all members of the Board.”
4. At the August 22<sup>nd</sup> Regular Board meeting, a motion was passed by trustees asking staff to *“come back with a report with options and advice on how to cut back on Committee meetings (maybe one Board meeting per month).”*



## **D. EVIDENCE, RESEARCH, ANALYSIS**

1. In response to the August 22<sup>nd</sup> motion, a poll of School Boards in the surrounding areas including the GTHA, Southwest Ontario and Ottawa region School Boards was conducted to find out how many meetings per month require the attendance of all trustees at each Board. Responses were received from 30 Ontario School Boards representing almost half (43%) of the Boards in the province.
2. Responses indicate the majority of Boards (17 of the 30 responses) have 2 meetings per month at which all trustees are expected to attend. While Boards may have different names for committees, the majority have one Regular Board meeting per month, and one further Committee meeting of all trustees under a variety of names.
3. While the majority reported 2 meetings per month, a significant number (11 of the 30 responses) have only 1 meeting per month requiring the attendance of all trustees. One Board, Upper Grand District, has only 6 meetings per year in total (1 Regular Board every other month) requiring all trustees to attend. The Simcoe District School Board is the only other Board amongst the responses received other than the TCDSB to host 3 meetings per month at which all trustees are required to attend (1 Board meeting and 2 Committee Meetings). (see Appendix A for School Boards and responses)
4. Some Boards reported additional meetings throughout the year annually for reasons such as Special Board meetings, Policy and Governance, etc. that are not regular monthly meetings, but do happen annually for specific purposes.
5. The existing TCDSB practice of scheduling three meetings per month annually (Regular Board, SAWB and Corporate Services) requires the scheduling of two meetings per week a few times each year to accommodate calendar conflicts including shortened months such as December (Christmas break), January (Christmas break and OCSTA and OCSOA conferences and commitments), March (March Break), April (Easter, OCSOA and OCSTA conferences and commitments) and June (graduation allowances). As a result, meetings have been cancelled or combined during these months over the past three years. In addition, each month some Trustees also attend GAP, By-Laws, CPIC, SEAC, and Advisory Committees as committee members.
6. A look at the agendas of the past three years in the TCDSB reveal months in which the calendar of reports are quite heavy and months in which there are less reports annually and as such, earlier this summer, in preparation for the

upcoming November calendar, staff began to review meetings and dates in an effort to ascertain a pattern that could help inform future Calendar of Board and Committee Meetings schedules.

## **E. OPTIONS**

### 1. Options for consideration of the Board:

- A. **Consolidate Regular Board, SAWB, and Corporate Meetings into Two Meetings Per Month:** Most Boards in the GTHA, Southern and Eastern Ontario effectively complete all Board business using two meetings per month which require attendance of all trustees. This is comprised of one Regular Board Meeting and one Committee Meeting at which all trustees attend. In the TCDSB, this could mean one Regular Board Meeting and alternating SAWB and Corporate Services every other month.
  - B. **Reduce the Number of Committee Meetings during Specific Months:** Meetings have been cancelled each of the past three years to accommodate calendar conflicts and condensed months. Committee meetings can be reduced during the months of December (Christmas), January (post-Christmas and OCSTA/OCSOA conferences and commitments), March (March Break), April (Easter and OCSTA/OCSAO/CCSTA conferences and commitments), and May/June (graduation obligations).
  - C. **Maintain Current Board Schedule (Three Meetings Per Month):** Three meetings per month will continue to require flexibility in scheduling to accommodate the variety of obligations annually that conflict with or influence our calendar.
2. Staff will be bringing the annual calendar of meetings report to the November Board meeting for the calendar year 2025 with a focus on optimizing a meeting schedule that ensures the business of the board is conducted thoroughly and diligently based on direction from the Board.

## **F. CONCLUSION**

This report is for the information of the Board.

**TORONTO CATHOLIC DISTRICT SCHOOL BOARD  
2025 CALENDAR OF MEETINGS**

JANUARY					FEBRUARY					MARCH					APRIL				
M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
		1	2	3	3	GAP/ACAC	5	6	7	OAP	GAP/ACAC	5	6	7		GAP/ACAC	SSAC	3	4
6	GAP/ACAC	S	SA	10	ACA/C	FAC	S	CS	14	10	11	12	13	14	7	SA	S	CS	11
13	14	15	16	17	17	2S+AC/SSAC/SSA/UCAC	NCC	20	21	17	18	S	SA	21	14	15	16	17	18
CP	IEAC	22	23	24	CP		26	B	28	CP	25	26	B	28	21	SSA/FAC	23	B	25
A/OAP	28	29	B	31						31					2S+AC/CP	IEAC/UCAC	NCC		

MAY					JUNE					JULY					AUGUST				
M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
			1	2	2	GAP	S	5	6		1	2	3	4					1
AN	GAP	7	CS	9	CP	SSA	11	B	13	7	8	9	10	11	4	5	6	7	8
CP	ACAC	S	15	16	16	17	18	19	20	14	15	16	17	18	11	12	13	14	15
19	20	21	B	23	23	24	25	26	27	21	22	23	24	25	18	19	20	B	22
A/OAP	27	28	SA	30	30					28	29	30	31		25	26	27	28	29

SEPTEMBER					OCTOBER					NOVEMBER					DECEMBER				
M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
1	GAP	ACA/C	SA	5			2S+AC	SA	3	3	GAP	5	SA	7	1	GAP	3	SA	5
8	9	S	CS	12	6	GAP	S	CS	10	ACAC/CP	11	S	CS	14	8	2S+AC	S	B	12
15	IEAC	17	B	19	13	ACA/C	15	16	17	17	C/I	19	B	21	CP	16	17	18	19
CP	23	24	25	26	20	21	22	B	24	NCC	SSA	26	A	28	22	23	24	25	26
29	30				27	28	29	30	31						29	30	31		

<b>ACAC</b>	<i>African Canadian Advisory Committee</i>	<b>GAP</b>	<i>Governance and Policy</i>
<b>A</b>	<i>Audit Committee</i>	<b>IEAC</b>	<i>Indigenous Education Advisory Committee</i>
<b>AN</b>	<i>Awards Night</i>	<b>OAP</b>	<i>OAPCE</i>
<b>B</b>	<i>Regular Board</i>	<b>S</b>	<i>SEAC</i>
<b>C/I</b>	<i>Caucus/Inaugural</i>	<b>SA</b>	<i>Student Achievement</i>
<b>CP</b>	<i>Catholic Parent Involvement Council</i>	<b>SSA</b>	<i>Safe Schools Advisory</i>
<b>CS</b>	<i>Corporate Services</i>	<b>NCC</b>	<i>Nurturing Our Catholic Community</i>
<b>FAC</b>	<i>Filipino Advisory Committee</i>	<b>2S+AC</b>	<i>2SLGBTQ+ Advisory Committee</i>
<b>SSAC</b>	<i>Spanish Speaking Communities Advisory Committee</i>	<b>UCAC</b>	<i>Ukrainian Canadian Advisory Committee</i>

<i>January 1</i>	<i>New Year's Day</i>	<i>June 27</i>	<i>School Ends</i>
<i>January 2</i>	<i>Board Offices Reopen</i>	<i>July 1</i>	<i>Canada Day</i>
<i>January 6</i>	<i>Schools Reopen</i>	<i>July 28- Aug 8</i>	<i>Board Offices Closed</i>
<i>February 14</i>	<i>Parent/Teacher Interview (Elementary)</i>	<i>September 1</i>	<i>Labour Day</i>
<i>February 17</i>	<i>Family Day</i>	<i>September 2</i>	<i>First Instructional Day</i>
<i>March 10-14</i>	<i>March Break</i>	<i>October 13</i>	<i>Thanksgiving Day</i>
<i>March 18</i>	<i>Annual Ordinandi Dinner</i>	<i>November 4</i>	<i>Cardinal's Dinner</i>
<i>April 18</i>	<i>Good Friday</i>	<i>November 5</i>	<i>System Wide Retirement</i>
<i>April 21</i>	<i>Easter Monday</i>	<i>November 11</i>	<i>Remembrance Day</i>
<i>May 1-3</i>	<i>OCSTA AGM</i>	<i>November 26</i>	<i>Annual Memorial Mass</i>
<i>May 4-9</i>	<i>Catholic Education Week</i>	<i>Dec. 24-Jan 1</i>	<i>Christmas Break</i>
<i>May 5</i>	<i>Awards Night</i>	<b>TBD</b>	<i>Annual Angel Foundation Dinner</i>
<i>May 19</i>	<i>Victoria Day</i>		
<i>June 5-6</i>	<i>CCSTA AGM</i>		



REPORT TO

GOVERNANCE AND POLICY  
COMMITTEE

COVID-19 IMMUNIZATION DISCLOSURE POLICY

*When he had arrived at Jerusalem and had been kindly welcomed by the high priest of the city, he told about the disclosure that had been made and stated why he had come, and he inquired whether this really was the situation.*  
- 2 Maccabees 3:9

Drafted

Meeting Date

October 11, 2024

November 6, 2024

Derek Luk, Senior Policy Advisor

Shazia Vlahos, Chief Communications Officer, Policy, Government Relations & Strategy

RECOMMENDATION REPORT

**Vision:** *IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope.*

**Mission:** *Nurturing the faith development and academic excellence of our Catholic learning community through the love of God, neighbour, and self.*



MULTI-YEAR STRATEGIC PLAN  
2022 - 2025

IN GOD'S IMAGE: Growing in Knowledge, with Justice and Hope



Brendan Browne  
Director of Education

Adrian Della Mora  
Associate Director of Academic  
Affairs & Chief Operating Officer

Derek Boyce  
Associate Director of Corporate  
Services and Chief Commercial Officer

Ryan Putnam  
Chief Financial Officer and Treasurer

## **A. EXECUTIVE SUMMARY**

This report recommends rescinding the COVID-19 Immunization Disclosure Policy (H.M.03).

**The cumulative staff time required to prepare this report was 3 hours**

## **B. PURPOSE**

1. The COVID-19 Immunization Disclosure Policy (Appendix A) was identified for review as part of the 2024-2025 policy review cycle.

## **C. BACKGROUND**

1. The policy was approved in September 2021 to ensure compliance with the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 and Ontario Regulation 364/20 (Rules For Areas at Step 3 and at the Roadmap Exit Step).

## **D. EVIDENCE/RESEARCH/ANALYSIS**

1. On April 14, 2022, regulation 364/20 was revoked.
2. On April 27, 2022, Ontario cancels all COVID-19 restrictions.
3. With all COVID-19 restrictions being cancelled, there is no longer a need for the COVID-19 Immunization Disclosure Policy.

## **E. STAFF RECOMMENDATION**

1. Staff recommends the COVID-19 Immunization Disclosure Policy (Appendix A) be rescinded.



**POLICY SECTION:** HUMAN RESOURCES  
**SUB-SECTION:** MISCELLANEOUS  
**POLICY NAME:** COVID-19 IMMUNIZATION DISCLOSURE POLICY  
**POLICY NO:** H.M.03

<b>Date Approved:</b> September 16, 2021	<b>Date of Next Review:</b> September 2026	<b>Dates of Amendments:</b>
<p><b>Cross References:</b>  <i>Ontario Regulation 364/21</i>  <i>Reopening Ontario (A Flexible Response to COVID-19) Act, 2020</i>  <i>Education Act, R.S.O. 1990, c. E.2</i>  <i>Occupational Health and Safety Act, R.S.O. 1990, c. O.1</i>  <i>Health Protection and Promotion Act, R.S.O. 1990, c. H. 7</i>  <i>Human Rights Code R.S.O. 1990, c. H. 19</i>  <i>Nursing Act, 1991, S. O. 1991, c. 32</i>  <i>Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, c. M. 56</i></p>		

**Purpose:**

The COVID-19 Immunization Disclosure Policy (“the Policy”) applies to all school board employees, trustees, frequent school visitors and other professionals who deliver services in schools or in any Board facility, who interact with students, staff or trustees, including third-party providers. The Policy requires that, in accordance with the terms set forth below, all persons subject to this Policy (as defined in Application and Scope, below) provide proof of full vaccination against COVID-19 or obtain an approved accommodation or exemption.



<b>POLICY SECTION:</b>	<b>HUMAN RESOURCES</b>
<b>SUB-SECTION:</b>	<b>MISCELLANEOUS</b>
<b>POLICY NAME:</b>	<b>COVID-19 IMMUNIZATION DISCLOSURE POLICY</b>
<b>POLICY NO:</b>	<b>H.M.03</b>

The Board has established this Policy considering the requirements of Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 and Ontario Regulation 364/20, reliable scientific evidence, government guidance and protocols, its obligations under the *Education Act* the *Occupational Health and Safety Act* (“OHSA”), Health Protection and Promotion Act (“HPPA”) and relevant human rights legislation including the *Human Rights Code*.

- To protect all persons who enter Board premises and in particular, those who are ineligible to be vaccinated at this time and vulnerable populations who are at highest risk of developing complications from COVID-19; and
- To ensure all schools under the Board’s jurisdiction and Board offices and premises remain as safe as possible in the context of the ongoing COVID-19 pandemic.

**Scope and Responsibility:**

The Director of Education holds primary responsibility for implementation of this Policy. The responsibility for the day-to-day management and coordination of the policy is assigned to the Executive Superintendent of Human Resources and Employee Relations.

**Alignment with Multi-Year Strategic Plan (MYSP):**

Living Our Catholic Values

Enhancing Public Confidence



**POLICY SECTION:** HUMAN RESOURCES  
**SUB-SECTION:** MISCELLANEOUS  
**POLICY NAME:** COVID-19 IMMUNIZATION DISCLOSURE POLICY  
**POLICY NO:** H.M.03

Fostering Student Achievement and Well-Being  
Achieving Excellence in Governance  
Providing Stewardship of Resources  
Inspiring and Motivating Employees

**Policy:**

The Policy applies to all school board employees, trustees, frequent school visitors and other professionals, including third-party providers, who enter any Toronto Catholic District School Board (TCDSB) property, deliver services in schools or in any Board facility, who interact with students, staff or trustees. The Policy also applies to volunteers, permit holders, contractors, customers of the Board and other members of organizations not related to the Board but who nevertheless work on or are invited onto Board premises or deliver services.

It is the policy of the TCDSB that all persons to whom this policy applies must provide the Board with a signed statement attesting to being fully vaccinated against COVID-19 and documented proof of being fully vaccinated, subject to the regulations prescribed below.

Any person to whom this policy applies who is not fully vaccinated against COVID-19, and who is not otherwise exempt under this policy, and has not provided the Board with a negative Rapid COVID-19 Antigen test as directed by the Ontario





**POLICY SECTION:** HUMAN RESOURCES  
**SUB-SECTION:** MISCELLANEOUS  
**POLICY NAME:** COVID-19 IMMUNIZATION DISCLOSURE POLICY  
**POLICY NO:** H.M.03

Ministry of Health, will not be permitted to enter any TCDSB school or any Board facility.

### **Regulations:**

#### **1. Timing**

- i. All persons to whom this policy applies must comply with this policy by a date to be determined by the Ontario Ministry of Education (“the Ministry”). It is the responsibility of such persons to ensure there is sufficient time to comply with this policy by the date specified by the Ministry.
- ii. TCDSB employees who fail to comply with the terms set out in this Policy may be subject to disciplinary action, up to and including termination from their employment.

#### **2. Proof of Vaccination or Other Evidence**

2.1 All persons covered by this policy are required to provide the following, where applicable, to the Board by a date specified by the Ministry:

- i. A written statement on a form to be provided by the Board attesting to being fully vaccinated against COVID-19.



**POLICY SECTION:** HUMAN RESOURCES  
**SUB-SECTION:** MISCELLANEOUS  
**POLICY NAME:** COVID-19 IMMUNIZATION DISCLOSURE POLICY  
**POLICY NO:** H.M.03

- ii. If the individual has received the total required number of doses of a COVID-19 vaccine approved by the World Health Organization (WHO), proof of having received all required doses, or
- iii. Written proof of medical reason, provided by either a physician or a nurse practitioner (a nurse who holds an extended certificate of registration under the Nursing Act, 1991) that sets out:
  - a) That the person cannot be vaccinated against COVID-19; and
  - b) The effective time period for the medical reason; or
- iv. Proof that the individual has completed an educational program approved by the Ministry that addresses, at a minimum, all of the following:
  - a) How COVID-19 vaccines work;
  - b) Vaccine safety related to the development of COVID-19 vaccines;
  - c) The benefits of vaccination against COVID-19;
  - d) Risks of not being vaccinated against COVID-19; and
  - e) Possible side effects of COVID-19 vaccination.

2.2 The proof of vaccination or other evidence defined in subsection 2.1 must be provided to the Board by a date to be determined by the Ministry.



<b>POLICY SECTION:</b>	<b>HUMAN RESOURCES</b>
<b>SUB-SECTION:</b>	<b>MISCELLANEOUS</b>
<b>POLICY NAME:</b>	<b>COVID-19 IMMUNIZATION DISCLOSURE POLICY</b>
<b>POLICY NO:</b>	<b>H.M.03</b>

2.3 Individuals who, in lieu of the proof of vaccination have provided proof of a medical reason pursuant to subsection 2.1(iii) or of the completion of an educational program pursuant to subsection 2.1(iv) must undergo Rapid COVID-19 Antigen testing as directed by the Ontario Ministry of Health and provide proof of a negative result to gain access to Board premises.

2.4 If the effective time period of a medical reason provided pursuant to subsection 2.1(iii)(b) has expired, the individual must, within 30 days of the medical reason expiring, provide proof of vaccination in accordance with subsection 2.1(ii) or proof that the individual completed an educational program in accordance with subsection 2.1(iv).

2.5 The Board will only collect, use and disclose information regarding an individual's vaccination status in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA") and all applicable privacy laws. The proof of vaccination or other evidence collected pursuant to subsection 2.1 will be kept in a confidential file, stored in a secure location.

### **3. Exemptions**

3.1 The Board recognizes its responsibilities and duties under provincial human rights legislation, such as the *Human Rights Code* (the "Code"). If an



<b>POLICY SECTION:</b>	<b>HUMAN RESOURCES</b>
<b>SUB-SECTION:</b>	<b>MISCELLANEOUS</b>
<b>POLICY NAME:</b>	<b>COVID-19 IMMUNIZATION DISCLOSURE POLICY</b>
<b>POLICY NO:</b>	<b>H.M.03</b>

individual is unable to be vaccinated, due to a protected ground, as defined by the Code, the Board has a duty to accommodate to a point of undue hardship.

However, this duty to accommodate must be balanced against the Board's obligations to protect the health and safety of staff and students. Due to the serious health threat COVID-19 presents to the public, if an individual will not be vaccinated because of a protected ground under the Code, they must request an accommodation or exemption, which falls under one of the following two categories: (i) Medical Condition; or (ii) Religious/Creed.

i. *Medical Condition Exemption*

An individual who is requesting an exemption from this Policy on the basis of a medical condition must provide the Board with a letter from a physician or nurse practitioner, clearly stating the reason why the individual should be exempted from receiving the vaccine. This letter must be provided to the Board by a date specified by the Ministry.

ii. *Religious/Creed Exemption*

An individual may apply for an exemption, due to religious belief or creed. The Board reserves the right to ask for materials in support of the individual's religious belief or creed, including a letter of support from a religious leader or community.



<b>POLICY SECTION:</b>	<b>HUMAN RESOURCES</b>
<b>SUB-SECTION:</b>	<b>MISCELLANEOUS</b>
<b>POLICY NAME:</b>	<b>COVID-19 IMMUNIZATION DISCLOSURE POLICY</b>
<b>POLICY NO:</b>	<b>H.M.03</b>

### *3.2 Accommodation Process*

The accommodation process is a shared responsibility. All parties should cooperatively engage in the process, share information and consider potential accommodation solutions. Employees who are requesting an accommodation are required to:

- a. Make the accommodation needs known to the best of their ability, preferably in writing, in a timely manner;
- b. Answer reasonable questions or provide information about relevant restrictions or limitations, including information from health care professionals;
- c. Take part in discussions about possible accommodations solutions;
- d. Co-operate with any experts whose assistance is required to manage the accommodation process;
- e. Meet agreed-upon performance standards and requirements, once accommodation is provided; and
- f. Work with Board and/or school administration on an ongoing basis to manage the accommodation process

Depending on workplace circumstances and learning and teaching considerations, possible accommodations may include but not limited to masking, physical distancing, regular testing, remote learning arrangements, work-from-home arrangements, job-protected leave of absence and/or restricted duties and responsibilities.



**POLICY SECTION:** HUMAN RESOURCES  
**SUB-SECTION:** MISCELLANEOUS  
**POLICY NAME:** COVID-19 IMMUNIZATION DISCLOSURE POLICY  
**POLICY NO:** H.M.03

**Definitions:**

*Fully vaccinated against* COVID-19 means having received all of the doses required for a COVID-19 vaccine(s) approved by the World Health Organization (e.g., two doses of a two-dose vaccine, or one dose of a single-dose vaccine); and having received the final vaccine dose at least 14 days ago.

*Vaccine* means a COVID-19 vaccine approved by the World Health Organization (e.g., two doses of a two-dose vaccine, or one dose of a single-dose vaccine).

**Evaluation and Metrics:**

The effectiveness of the policy will be determined by metrics collected by the Board's ICT Services, Human Resources/Employee Relations Department, Occupational Health and Safety Department and the Sick Leave and Disability Department.

## GOVERNANCE AND POLICY COMMITTEE PENDING LIST TO NOVEMBER 6, 2024

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
1.	Jan-2019 Governance and Policy	Fall 2024	Governance and Policy	<p>That all existing and new policies be reviewed to reflect the Ontario Human Rights Commission (OHRC) Accessible Education for Students with Disabilities Policy Document and that once completed, that they be brought back to GAP Committee; and</p> <p>That staff develop a policy reflective of the OHRC Accessible Education for Students with Disabilities Policy Document (<b>SEAC Minutes, 2018-09-19, Item 9g) Ontario Human Rights Commission (OHRC) Policy Document Article on Special Education Inclusion)</b></p>	Superintendent Fernandes/EGC Ceddia
2.	August 2020 Regular Board	Under review at By-Law Review Ad Hoc Committee	Governance and Policy	That the draft documents in Appendix A and Appendix B of the report be referred to the Governance Committee and Policy Committee and the By-Law Review Ad Hoc Committee for their consideration ( <b>Revision of Toronto Catholic District School Board (TCDSB) By-Law #175 to Include the Authority of the Integrity Commissioner in the Governance Model)</b>	EGC Ceddia
3.	June 2021 Corporate Services	Fall 2024	Governance and Policy	<p><b>WHEREAS:</b> Notices of motions/motions and amendments are used to bring proposals for consideration by Trustees;</p> <p><b>WHEREAS:</b> Notices of motions/motions and</p>	EGC Ceddia

amendments are submitted in writing;

**WHEREAS:** Preamble clauses are whereas explanatory notes that precede the be it resolved clauses;

**WHEREAS:** Using a preamble or whereas explanatory notes gives the mover to list the reasons for the resolution;

**WHEREAS:** Preamble clauses (whereas) should support the resolved statement(s);

**WHEREAS:** Comments made in the preamble should be factual and verifiable;

**WHEREAS:** Preambles must be as specific as possible about the issue and demonstrate the relevance of the resolution;

**WHEREAS:** Commentary in the whereas paragraphs exemplify why action should be taken;

**WHEREAS:** The TCDSB recently adopted a revised Trustee Code of Conduct that states in part:

Trustees have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation;

**WHEREAS:** Trustees should be committed to performing their functions with integrity,



			<p>impartiality and transparency;</p> <p><b>WHEREAS:</b> Trustees shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual Trustee or faction of the Board;</p> <p><b>WHEREAS:</b> Trustees as leaders of the community, are held to a higher standard of behaviour and conduct;</p> <p><b>WHEREAS:</b> Trustees shall not maliciously or falsely impugn or injure the professional or ethical reputation or the prospects or practice of staff, and all Trustees shall show respect for the professional capacities of the staff of the Board;</p> <p><b>WHEREAS:</b> Trustees share a common basis and understanding for acceptable conduct of Trustees, in concert with and beyond the minimum standards of behaviour set out in the existing legislative framework;</p> <p><b>WHEREAS:</b> Negative preambles should be avoided;</p> <p><b>WHEREAS:</b> Members are not endorsing whereas comments when voting for a resolution; and</p> <p><b>WHEREAS:</b> Negative motions or resolutions should not be considered.</p>	
--	--	--	---	--

			<p><b>THEREFORE BE IT RESOLVED THAT:</b> Trustees in presenting notices of motions, motions and amendments adopt the following principles effective immediately:</p> <ul style="list-style-type: none"> <li>a) preambles will be factual and verifiable;</li> <li>b) preambles will be as issue specific as possible;</li> <li>c) negative preambles to notices of motions, amendments and resolutions will be avoided;</li> <li>d) resolutions and preambles to notices of motions/motions or amendments will not maliciously or falsely impugn the professional or ethical reputation of staff or trustees; and</li> <li>e) resolutions and preambles to notices of motions/motions or amendments will respect the professional Board staff and trustees</li> </ul> <p><b>FURTHER BE IT RESOLVED THAT:</b> The aforementioned be referred to the Governance and Policy Committee and to staff for necessary amendments to the present policies. <b>(Consideration of Motion from Trustee Rizzo regarding Notice of Motions)</b></p>	
4.	June 2021 Regular Board	Connected to 6 & 8 – Will go to By-Law Review Ad Hoc Committee first	<p>Governance and Policy</p> <p>That the revised Terms of Reference for the 2SLGBTQ+ Advisory Committee (Appendix A of the report) be approved.</p> <p>Staff was directed to refer the matter of having consistency with respect of determining Terms of</p>	ECG Cedia

			Reference before approval of Committee membership and meetings to the Governance and Policy Committee ( <b>Approval of 2SLGBTQ+ Advisory Committee Terms of Reference</b> )		
5.	December 2021 Governance and Policy	Connected to 5 & 8 – Will go to By-Law Review Ad Hoc Committee first	Governance and Policy	That the Update to Operational Procedures on Selection Process for Community and Parent/Guardian Membership on Advisory/Ad Hoc Committees be referred back to staff to incorporate all the amendments and to provide a comprehensive policy on recruitment processes for all types of Board Committees involving community members including Advisory, Ad hoc and Statutory Committees ( <b>Update to Operational Procedures on Selection Process for Community and Parent/Guardian Membership on Advisory / Ad Hoc Committees</b> )	EGC Ceddia
6.	October 2022 Governance and Policy	Fall 2024	Governance and Policy	That this Item be referred to the Sweatshop Free Committee for any input by February 2023. ( <b>Sweatshop Free Purchasing Policy F.P. 04 (Rescind)</b> ).	Superintendent Putnam
7.	February 2024 Regular Board	Connected to 5 & 6 – Will go to By-Law Review Ad Hoc Committee first	Governance and Policy	Whereas: The Race Relations Committee was the earliest advisory Committee created more than two decades ago at the Toronto Catholic District School Board (TCDSB);  Whereas: The Race Relations Committee was the foundation upon which all the TCDSB Advisory Committees have been built;  Whereas: The Race Relations Committee is like the trunk of the tree from which all the Advisory Committees have grown and developed over time	EGC Ceddia

			<p>like branches on a tree;</p> <p>Whereas: TCDSB can be proud of the work each of the Advisory Committees perform;</p> <p>Whereas: In the context of our Catholic values, racism violates the fundamental dignity of the human person who is made in the image and likeness of God;</p> <p>Whereas: TCDSB has a Department devoted to Indigenous Education and Equity; adopted an Equity Plan and has several Advisory Committee representing Indigenous, African Canadian, 2SLGBTQ+, Filipino, Ukrainian and Spanish;</p> <p>Whereas: The Equity Action Plan (2023-2026) focuses on Indigenous Education, Anti-Black Racism and Support for LGBTQ+ community;</p> <p>Whereas: Duplication and limited resources should be averted;</p> <p>Whereas: The structure of the Advisory Committee engages members to share their lived experiences in order to inform system wide documents and strategies;</p> <p>Whereas: Black History Month is celebrated February 1<sup>st</sup> to 29<sup>th</sup> and honours the legacy of Black people in Canada and in our school communities; and</p>	
--	--	--	---	--

			<p>Whereas: TCDSB has made significant strides in improving racial injustice it has not resulted in the eradication of either individual, or systemic racism. Some progress is not absolute progress.</p> <ol style="list-style-type: none"><li>1. Be It Resolved That: The TCDSB continue to adopt a Zero-Tolerance Attitude Towards Racism and ensure everyone learns the Catholic language of inclusion;</li><li>2. Be It Further Resolved That: The Governance and Policy Committee review all Advisory Committees to address issues identified in this motion;</li><li>3. Be It Resolved That: The existing Advisory Committees should independently and regularly report to the Board so that trustees can develop policies needed to address all forms of systemic equity issues;</li><li>4. Be It Further Resolved That: The Special Board Advisory Committee on Race Relations be discontinued at this time in this form;</li><li>5. Further Be It Resolved That: The members of the Special Board Advisory Committee on Race Relations be thanked for their contribution and service to the TCDSB; and</li><li>6. Further Be It Resolved That: Special thanks be extended to the Trustees, community members and Staff of the Special Board Advisory</li></ol>	
--	--	--	--	--

8.				Committee on Race Relations for their passion and leadership on this file ( <b>Special Board Advisory Committee on Race Relations</b> )	
	August 2024 Regular Board	November 2024	Governance and Policy	Received.  BE IT RESOLVED THAT: The Governance and Policy Committee have an opportunity to review all impacted TCDSB policies at the earliest opportunity with required amendments to ensure alignment with the Ministry of Education's upcoming Regulatory Reforms effective 2025; ( <b>Regulatory Reforms to Better Schools and Student Outcomes Act</b> )	CCO Vlahos
9.	September 2024 Regular Board	November 2024	Governance and Policy	That this report be referred to the Governance and Policy Committee to explore how to maintain levels of governance and transparency and how to reduce the number of meetings to a more manageable level. ( <del>Scheduling of Monthly Meetings Requiring All Trustees</del> )	CCO Vlahos



## The Toronto Catholic District School Board: Governance and Policy Priority List 2024-25

GAP Date	Policy or Procedure	Workplan	New/Revised Policy
September 3, 2024	<a href="#">Catholicity and School Support</a>		✓
	<a href="#">Chaplaincy Program Policy</a>		
	<a href="#">Good Neighbour</a>		✓
	<a href="#">Guidelines For Trustees, Parents and Staff in Addressing School Related Concerns</a>		✓
	Proposed School Events Policy <a href="#">Blessing and Official Opening of Schools</a> <a href="#">School Events Communications and Invitee Protocols</a> <a href="#">Year-End Celebrations for Kindergarten Children</a>		✓
	Proposed Respectful Workplace policy <a href="#">Harassment and Discrimination</a> <a href="#">Conflict Resolution</a> <a href="#">Complaint Against a Staff Member</a>  <a href="#">Workplace Violence</a> <a href="#">Occupational Health and Safety</a>	✓	

GAP Date	Policy or Procedure	Workplan	New/Revised Policy	Considerations
October 1, 2024	<a href="#">Chaplaincy Program Policy</a>		✓	
	Student/School Related Concerns  <a href="#">(Guidelines For Trustees, Parents and Staff in Addressing School Related Concerns)</a>		✓	
	<a href="#">Combined (Split) Grade Classes for Elementary Schools</a> <a href="#">Concussion Policy</a> <a href="#">Cursive Writing</a> <a href="#">Elementary French Programming</a> <a href="#">School Excursions</a> <a href="#">Student and Program Assessment</a> <a href="#">Physical Activities Within the Physical and Health Education Programs</a>	✓		
November 6, 2024	<a href="#">Trustees Code of Conduct</a> <a href="#">Appendix A - TCDSB Code of Conduct Complaint Protocol</a> <a href="#">Appendix B - Commentary on Trustee Code of Conduct</a> <a href="#">Appendix C - Guide to Trustee Code of Conduct: Procedure for Complaints</a> <a href="#">Trustee Honorarium</a>		✓	
	<a href="#">COVID-19 Immunization Disclosure</a>			
December 3, 2024	Proposed Respectful Workplace policy <a href="#">Harassment and Discrimination</a> <a href="#">Conflict Resolution</a> <a href="#">Complaint Against a Staff Member</a>		✓	
	<a href="#">Occupational Health and Safety</a>		✓	



GAP Date	Policy or Procedure	Workplan	New/Revised Policy	Considerations
	<a href="#">Workplace Violence</a>		✓	
	<a href="#">Concussion Policy</a>		✓	
	<a href="#">School Excursions</a>		✓	
<b>January 7, 2025</b>	<a href="#">Acceptance of Hospitality or Gifts</a> <a href="#">Awards, Funds and Scholarships</a> <a href="#">Disposal of Surplus or Obsolete Furniture, Fixtures and Equipment</a> <a href="#">Credit and Purchase Cards</a> <a href="#">Employee Expenses</a> <a href="#">Effective Financial Management and Control of Operations</a> <a href="#">Food and Beverage Sold in Schools</a> <a href="#">Cafeterias - Secondary Schools</a>  <a href="#">Purchasing Policy</a> <a href="#">Sweatshop-Free Purchasing Policy</a>  <a href="#">Credit Union</a>		✓	
<b>February 4, 2025</b>	<a href="#">Guide Dogs/Service Dogs, and Service Animals for Students</a> <a href="#">Mental Health and Well Being</a> <a href="#">Prevalent Medical Conditions</a> <a href="#">Special Education Programs and Services</a>	✓		
<b>March 4, 2025</b>	<a href="#">Cursive Writing</a>		✓	

GAP Date	Policy or Procedure	Workplan	New/Revised Policy	Considerations
	<a href="#">Combined (Split) Grade Classes for Elementary Schools</a>		✓	
	<a href="#">Elementary French Programming</a>		✓	
	<a href="#">Physical Activities Within the Physical and Health Education Programs</a>		✓	
	<a href="#">Student and Program Assessment</a>		✓	
<b>April 5, 2025</b>	<a href="#">Electronic Participation in Meetings of the Board, Committees of the Board, and the Committee of the Whole Board</a>		✓	
<b>May 6, 2025</b>	<a href="#">Guide Dogs/Service Dogs, and Service Animals for Students</a>		✓	
	<a href="#">Mental Health and Well Being</a>		✓	
	<a href="#">Prevalent Medical Conditions</a>		✓	
	<a href="#">Special Education Programs and Services</a>		✓	
<b>June 3, 2025</b>				

GAP Date	Policy or Procedure	Workplan	New/Revised Policy	Considerations
<b>September 2025</b>	<a href="#">Access to Students in Schools</a> <a href="#">Dress Code for Pupils</a> <a href="#">Fresh Start</a> <a href="#">Victim's Rights</a> <a href="#">Duty to Report, Duty to Support</a> <a href="#">Opening and Closing Exercises</a> <a href="#">Student Councils</a> <a href="#">Suspension and Expulsion Policy</a>	✓		
<b>October 2025</b>	<a href="#">Program Transportation</a> <a href="#">Transportation</a> <a href="#">Driver Education Programs</a> <a href="#">Placement of Pupils</a>	✓		
<b>November 2025</b>	<a href="#">Prayer in Schools</a> <a href="#">Religious Accommodation</a> <a href="#">Catholic Equity and Inclusive Education Policy</a> <a href="#">Charter of Rights of the Family</a> <a href="#">Student Pregnancy</a>	✓		
<b>December 2025</b>				
<b>January 2026</b>				
<b>February 2026</b>				
<b>March 2026</b>				

GAP Date	Policy or Procedure	Workplan	New/Revised Policy	Considerations
----------	---------------------	----------	--------------------	----------------

<b>April 2026</b>				
<b>May 2026</b>				
<b>June 2026</b>				