



POLICY SECTION: TRUSTEES
SUB-SECTION:
POLICY NAME: TRUSTEE CODE OF CONDUCT
POLICY NO: T.04

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

Commentary

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'.

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

16.Reprisals and Obstruction

1. It is a violation of the *Code of Conduct* to obstruct the Integrity Commissioner in the carrying out of their responsibilities.
2. No Trustee shall threaten or undertake any active reprisal against a person initiating an inquiry or complaint under the *Code of Conduct*, or against a person who provides information to the Integrity Commissioner in any Investigation.



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3. It is a violation of the *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 of Conduct*.

17. Acting on Advice of Integrity Commissioner

1. 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.

18. Implementation:

1. Trustees are expected to formally and informally review their adherence to the Code on a regular basis or when so requested by the Board.
2. 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.
3. 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



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- 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 interpretation and application of the Trustee Code of Conduct.

Commentary

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

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), 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.



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SUB-SECTION:	
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POLICY NO:	T.04

Child

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;

Parent

A parent who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;

Spouse

A person to whom the person is married or with whom the person is living in a conjugal relationship outside of marriage;

Trustee

A member of the Board of Trustees of the Toronto Catholic District School Board, including the Chair.

TCDSB

The Toronto Catholic District School Board

Social Media

Publicly available, third party hosted, interactive web technologies used to produce, post and interact through text, images, video and audio to inform, share, promote, collaborate or network.

Staff

Includes the Director of Education, Associate Directors, Superintendents, Directors, Managers, Supervisors [better description of Board Administrative Staff?] and all non-union and union staff whether full-time, part-time, contract, seasonal or volunteers.



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Nomination Day

The last day for filing or withdrawing a nomination as provided for by the Municipal Elections Act, 1996.

Evaluation and Metrics:

The effectiveness of the policy will be determined by measuring the following:

There will be a review by Trustees of this policy every two years starting in January 2018 to ensure understating, awareness and effectiveness.