

NOTICE OF MEETING

POLICY AND GOVERNANCE COMMITTEE

Secretary Treasurer's Office
Wednesday, February 7, 2024
Public viewing via live broadcast

Janet Fraser (Chair)
Preeti Faridkot (Vice-Chair)
Jennifer Reddy
Christopher Richardson

Helen McGregor, Superintendent of Schools
Flavia Coughlan, Secretary Treasurer

Notice of Meeting

A Meeting of the **Policy and Governance Committee** will be held in room 180 of the VSB Education Centre (1580 West Broadway, Vancouver BC) **for participating trustees, staff, and stakeholder representatives** on **Wednesday, February 7, 2024 at 5:00 pm**. The meeting will be live broadcast for the public.

Other Trustees: Lois Chan-Pedley Alfred Chien
Victoria Jung (Alternate) Joshua Zhang (Alternate)
Suzie Mah

Student Trustee: Mia Liu

Other Senior Team Staff: Daniel Blue Maureen McRae-Stanger
Pedro da Silva Pete Nuij
Michael Gray Alison Ogden

Rights Holder Faye Mitchell, x̣ẉṃə̣θ̣ḳẉə̣ỵəṃ (Musqueam)
Representatives: Kirsten Touring, sə̣ḷiḷẉə̣ṭə̣ł̣ (Tsleil-Waututh Nation)
Paul Wick, Ṣḳẉx̣ẉụ́7̣mesḥ Ụ́x̣ẉuṃix̣ẉ (Squamish Nation)

Representatives: Suzette Magri, CUPE 15 Alternates: Chris Brown, CUPE 15
Brent Boyd, CUPE 407
Ishi Dinim, DPAC Karen Tsang, DPAC (Alternate 1)
Kyenta Martins, DPAC (Alternate 2)
Tim Chester, IUOE Tim De Vivo, IUOE
Hayden O'Connor, PASA Diane Peters, PASA
Justin Chapman, Trades
Sonia Blair, VASSA Angie Haveman, VASSA
Aryan Gautam, VDSC
Glen Hansman, VEAES Jody Polukoshko, VEAES
Trevor Wrinch, VEPVPA Sarah Dash, VEPVPA
Carl Janze, VSTA Terry Stanway, VSTA

Other Staff: Lynda Bonvillain
Chris Allen

POLICY AND GOVERNANCE COMMITTEE MEETING AGENDA

Wednesday, February 7, 2024 at 5:00 pm
Room 180, VSB Education Centre

With deep gratitude and respect, we are honoured to be learning and unlearning on the ancestral and unceded lands of the x^wməθk^wəy̓əm (Musqueam), Sk̓wxwú7mesh Úxwumixw (Squamish Nation) & səlilwətał (Tsleil-Waututh Nation).

The meeting is currently being broadcasted live, and both the audio and video recordings will be accessible to the public for viewing even after the meeting ends. Footage from this meeting may be viewed from Canada or anywhere else in the world.

Meeting Decorum:

The Board has a strong commitment to ethical conduct. This includes the responsibility of committee members to conduct themselves with appropriate decorum and professionalism. As Chair of the Committee, it is my responsibility to see that decorum is maintained. To do that I ask that:

- i. All committee participants request to speak through the chair.
- ii. Civility towards others is maintained as committee participants share perspectives and participate in discussion.
- iii. Staff are able to submit objective reports without influence or pressure as their work is acknowledged and appreciated.
- iv. Committee participants refrain from personal inflammatory or accusatory language or action.
- v. Committee participants present themselves in a professional and courteous manner.

Please see reverse for the Purpose/Function and Power and Duties of this Committee.

1. Items for Approval

None

Presenters

2. Information Items

2.1 Policy Review Work Plan

Flavia Coughlan, Secretary Treasurer | CFO

3. Discussion Items

3.1 Policy Discussion: Role of the Trustee and Trustee Code of Conduct

Flavia Coughlan, Secretary Treasurer | CFO

Policy and Governance Committee

A. Responsibilities:

- A.1 Review the policy framework for the organization and make policy recommendations to the Board.
- A.2 Assess and make recommendations regarding Board governance structures.
- A.3 Ensure Board Policies are reviewed at least once in a four-year term and that compliance with legislation, regulations and legislative mandate is maintained.
- A.4 Review and make recommendations to the Board on the school district's compliance with legislative requirements.
- A.5 Annually review and recommend an Advocacy Plan to the Board that supports the achievement of the Board's strategic objectives.
- A.6 Review matters referred to the committee by the Board and make recommendations as requested.

February 7, 2024

ITEM 2.1

TO: Policy and Governance Committee

FROM: Flavia Coughlan, Secretary Treasurer | CFO

RE: Policy Review Work Plan

Reference to Education Plan **GOAL:** The Vancouver School Board will increase equity by...

OBJECTIVE(S): Improving stewardship of the district’s resources by focusing on effectiveness, efficiency, and sustainability

INTRODUCTION

One of the responsibilities of the Policy and Governance Committee is to ensure Board Policies are reviewed at least once in a four-year term and that compliance with legislation, regulations and legislative mandate is maintained.

This report is for Information.

POLICY AND GOVERNANCE – POLICY REVIEW WORK PLAN

At the November 8, 2023, committee meeting, participants engaged in small group discussions aimed at gathering feedback for the creation of a comprehensive three-year policy review work plan for the Policy and Governance Committee.

Below is the draft work plan for policy review that was created based on input provided. Policies proposed to be reviewed or developed in the current year are highlighted in blue.

Policy		Adopted	Reviewed	Review Year
Policy 1	Foundational Statements	24-Sep-18	27-Jun-22	2025/26
Policy 2	Role of the Board	24-Sep-18	24-Jun-19	2024/25
Policy 3	Role of the Trustee	24-Sep-18	26-Oct-20	2023/24
Policy 4	Trustee Code of Conduct	24-Sep-18	13-Dec-21	2023/24
Policy 5	Role of the Board Chair	24-Sep-18	26-Oct-20	2024/25
Policy 6	Role of the Vice-Chair	24-Sep-18		2024/25
Policy 7	Board Operations	24-Sep-18	30-May-22	2024/25
Policy 8	Board Committees	24-Sep-18	30-Oct-23	2024/25
Policy 9	Board Representatives	24-Sep-18		2025/26
Policy 10	Policy Development	24-Sep-18		2023/24
Policy 11	Board Delegation of Authority	24-Sep-18		2024/25
Policy 12	Role of the Superintendent	25-Oct-21		2024/25
Policy 13	<i>NEW: Naming and Renaming of Facilities</i>			2023/24

Policy		Adopted	Reviewed	Review Year
Policy 14	School Closure	24-Sep-18		2023/24
Policy 15	Recruitment and Selection of Personnel	24-Sep-18		2024/25
Policy 16	ByLaw No. 3 (I) – Indemnification	24-Sep-18		2025/26
Policy 17	Sexual Orientation, Gender Identity and Gender Expression	24-Sep-18	1-May-23	2022/23
Policy 18	Student Trustee	24-Sep-18	1-Sep-22	2025/26
Policy 19	Accumulated Operating Surplus	4-Mar-19	13-Dec-21	2023/24
Policy 20	Disposal of Land or Improvements	24-Sep-18	27-Sep-21	2023/24
Policy 21	Anti-Racism and Non-discrimination	16-Dec-19	14-Dec-20	2023/24
Policy 22	Child Care Services in District Facilities	1-May-23		2025/26
Policy 23	Public Interest Disclosure	1-May-23		2025/26

The draft work plan will be shared with the Board Chairperson and the Board Vice Chairperson for Agenda Setting purposes.

February 7, 2024

ITEM 3.1

TO: Policy and Governance Committee

FROM: Trustee Code of Conduct Working Group

RE: Policy Discussion: Role of the Trustee and Trustee Code of Conduct

Reference to Education Plan

GOAL: The Vancouver School Board will increase equity by...

OBJECTIVE(S): Improving stewardship of the district’s resources by focusing on effectiveness, efficiency, and sustainability

BACKGROUND

The Ministry of Education and Child Care directed all school districts to review and update their Trustee Code of Conduct by April 2024. To action this directive, a working group consisting of three trustees (Janet Fraser, Victoria Jung, Joshua Zhang) and a staff resource person (Flavia Coughlan) was formed.

The working group received legal advice with the review and update of Policy 3: Role of the Trustee and Policy 4: Trustee Code of Conduct in the context of the guidance provided by the Ministry of Education and Child Care.

The attached policies have been updated based on advice from legal counsel and reflect the Trustee Code of Conduct guidance provided by the Ministry of Education and Child Care.

The proposed changes are identified in the attached documents and will be discussed at the meeting.

This report is provided for discussion.

POLICY AND GOVERNANCE – REVIEW OF DRAFT POLICIES 3 AND 4

At the Policy and Governance Committee meeting, participants will be engaged in discussion and dialogue, in small groups, in relation to these draft policies.

Guiding questions to support dialogue/feedback:

- Are there any ambiguities or areas that need clarification?
- Do you have any suggested revisions or additions?

All input received will be collected and considered by the working group before the policy is presented to the Board for approval.

Attachments:

- A. Draft Board Policy 3 – Role of the Trustee
- B. Draft Board Policy 4 – Trustee Code of Conduct
- C. School Trustees Codes of Conduct: Provincial Criteria Guidelines

DRAFT Policy 3

ROLE OF THE TRUSTEE

Trustee Elections

- 1.1 The election of trustees is governed by the Local Government Act and the Vancouver Charter. The British Columbia School Act (Sections 32 to 34) stipulates the qualifications required for a person to be nominated for office and to be elected or appointed to and hold office as a trustee.
- 1.2 General school elections to elect trustees for all boards of education in the province are held every four years.
- 1.3 Elected school trustees assume office on the first Monday after November 1st following the election, provided they have taken the Oath of Office, by oath or solemn affirmation.

Trustee Responsibilities

- 1.4 Trustees are members of a corporate board responsible for the improvement of student achievement in the school district. Trustees have a duty to act prudently, honestly and in good faith in the best interests of the Board of Education and the school district. Trustees must abide by the *School Act* and faithfully perform the duties of the office with care, skill and prudence.
- 1.5 Pursuant to section 65 of the *School Act*, the Board of Education of School District No. 39 (Vancouver) is a corporation. The Board must make decisions at meetings that are held in accordance with section 69 of the *School Act*. Trustees have no authority to make decisions outside of meetings properly constituted in accordance with section 69 of the *School Act*.
- 1.6 The Board may establish committees and specify the functions and duties of those committees. Section 65(3) of the *School Act* prohibits committees of Trustees and individual Trustees from exercising the rights, duties and powers of the Board.
- 1.7 The role of the Trustee is to contribute to the Board as it carries out its legislated mandate.
- 1.8 Trustees must comply with the requirements of the *School Act* that relate to conflict of interest. If a Court determines *that* a Trustee has knowingly contravened section 58 of the *School Act*, regarding the duty of a Trustee as it relates to conflicts of interest, the Court must declare the office of the Trustee vacant and may, if the contravention resulted in financial gain, require the person to make restitution to the party suffering the loss or to the Board.
- 1.9 A Trustee does not have any authority to act on behalf of, or represent, the Board, except as explicitly permitted by the Bylaws and policies of the Board.

Responsibilities of Individual Trustees

- 2.1 Trustees must become familiar with Board Bylaws and policies, meeting agendas and reports in order to participate in Board business.
- 2.2 Trustees must comply with all Board Bylaws and policies, including the Trustee Code of Conduct.
- 2.3 Trustees must keep the Board, the Superintendent and the Secretary Treasurer informed in a timely manner of all matters coming to their attention that might significantly affect the school district.
- 2.4 Trustees are expected to attend meetings of the Board and participate in and contribute to decisions of the Board. Trustees are also expected to attend meetings of any committee that they are assigned to and to report to the Board in a timely manner.
- 2.5 If a Trustee is continuously absent from Board meetings for three consecutive months, the Trustee's position on the Board is deemed vacant, unless the absence was due to sickness or with leave of the Board. The absentee Trustee is disqualified from serving as a Trustee until the next election.
- 2.6 A Trustee may submit motions for consideration by the Board. Notices of motion must be submitted to the Board Chair, the Superintendent and the Secretary Treasurer by no later than noon on the Wednesday prior to the public board meeting to be included in the Board meeting agenda.
- 2.7 Once a decision has been made by the Board, Trustees must respect the decision of the Board and work towards implementing the decision.
- 2.8 Trustees are encouraged to refer (other than acknowledge receipt and advise of referral) parents, staff or members of the public who raise concerns or make inquiries, as follows:
 - a) governance issues not covered by Board policy to the Board, through the Board Chair;
 - b) operational and administrative matters to the Superintendent; and
 - c) parents who raise concerns about employee decisions to the Conflict Resolution Process for School Based Concerns and the Appeal Policy and Procedures Bylaw, and will inform the Superintendent of this action.
- 2.9 Trustees should provide the Superintendent with counsel and advice, giving the benefit of the Trustee's judgment, experience, and familiarity with the community.
- 2.10 Trustees shall arrange personal contact with school district staff through the Superintendent or designate.
- 2.11 Trustees shall strive to develop a positive and respectful learning and working culture both within the Board and the school district.
- 2.12 Trustees shall continue to adhere to the Trustee Code of Conduct and carry out their duties with integrity during the trustee election period as defined in the *Local Elections Campaign Financing Act*.

Trustee Orientation and Professional Development

- 3.1 The Board believes an orientation program is necessary for effective trusteeship.
- 3.2 As a result of elections, the Board may experience changes in membership. To ensure continuity and facilitate a smooth transition from one Board to the next following an election, trustees must be adequately briefed concerning existing Board policy and practice, statutory requirements, initiatives and approved plans. Trustees are expected to attend orientation sessions and review the orientation materials provided.
- 3.3 The school district will offer an orientation program for all trustees following an election that provides information on:
- a. Role of the trustees, role of the Board, and role of management;
 - b. Board policies, agenda setting process, meeting proceedings and decorum;
 - c. Organizational structures and procedures of the school district;
 - d. Existing school district strategic plan, long-range plans, annual reports, financial information (e.g. budgets, financial statements) and key initiatives;
 - e. District programs and services;
 - f. Host Nations and Rights Holders;
 - g. Board's function as an appeal body; and
 - h. Statutory and regulatory requirements, including responsibilities with regard to conflict of interest, freedom of information and protection of privacy, human rights.
- 3.4 Trustees are encouraged to attend orientation sessions, professional development, and workshops that will enhance their ability to participate and contribute as a Board member.
- 3.5 The Board Chair, the Superintendent and the Secretary Treasurer are responsible for ensuring the development and implementation of the school district's orientation program for Trustees. The Superintendent and the Secretary Treasurer shall ensure each Trustee has access to the Board Policy Handbook and Administrative Procedures Manual at the organizational meeting following a general election or at the first regular meeting of the Board following a by-election.

Legal Reference: Sections 49, 50, 52, 65, 85 School Act
 Local Government Act
 Vancouver Charter

DRAFT Policy 4

TRUSTEE CODE OF CONDUCT

Code of Conduct

- 1.1 Trustees have a duty to discharge their duties and responsibilities in an ethical and professional manner. Trustees must comply with Bylaws and policies of the Board, the provisions of the *School Act* and any other relevant legislation. Trustees must act in a manner consistent with the Oath of Office.
- 1.2 Trustees must:
- i. Work with fellow Trustees in a spirit of cooperation including when differences of opinion arise.
 - ii. Maintain the highest standards of civility and respect conferred to public office through the absence of unwarranted criticism of fellow trustees, the Board, or employees.
 - iii. Ensure that staff can provide objective reports and guidance to the Board without pressure or influence.
 - iv. Represent the Board in all Board related matters with decorum and respect for others.
 - v. Make themselves aware of their obligations outlined in the *BC Human Rights Code*.
 - vi. Protect and enhance the reputation of the District and the Board.
- 1.3 Trustees must observe confidentiality with respect to:
- i. private meetings and special private meetings;
 - ii. any personal, privileged, or confidential information obtained in their capacity as a Trustee; and,
 - iii. any legal advice given to the Board.
- 1.4 Should a Trustee fail to comply with the confidentiality requirement in 1.3 of this Policy, the Board may, in addition to imposing consequences for a breach of this Code of Conduct, pursue available legal avenues. The Board will not indemnify or compensate a Trustee for legal costs incurred in response to any action related to a Trustee’s breach of their duty of confidentiality where that breach is intentional or amounts to gross negligence.
- 1.5 In compliance with sections 55 to 64 of the *School Act*, Trustees must avoid any conflict of interest. A conflict of interest includes a direct or indirect pecuniary interest. Pecuniary interest is defined in the *School Act* as an interest in a matter that could monetarily affect the trustee and includes an indirect pecuniary interest referred to in section 56 of the *School Act*.
- i. If a Trustee has any pecuniary interest in any matter, the Trustee must disclose the nature of that interest before any Board consideration of the matter.
 - ii. A Trustee who has any pecuniary interest in any matter must not take part in the discussion of or vote on any question in respect of the matter.
 - iii. A Trustee who has any pecuniary interest must leave a meeting that is not open to the public during the time the matter is under discussion. “Meeting” includes any regular, special, committee or other meeting of the Board.

- iv. If a Trustee who has any pecuniary interest does not attend a meeting where the matter was discussed, the Trustee must disclose their interest at the first meeting after the meeting where the matter was discussed.
 - v. Any declaration of pecuniary interest including the nature of that interest must be recorded in the minutes of meetings open to the public. Any declaration of interest made in meetings not open to the public, but not the nature of that interest, must be recorded in the minutes of the next open meeting.
 - vi. A Trustee who has any conflict of interest with respect to bargaining must disclose the nature of that interest to the Secretary Treasurer of the Board.
 - vii. A Trustee who has any pecuniary interest in any matter must not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.
 - viii. A Trustee may request guidance from other Trustees, the Superintendent, and the Secretary Treasurer in regard to conflict of interest matters.
- 1.5 A Trustee must keep an open mind when considering matters before the Board and must not prejudge an issue.
- 1.6 A Trustee must not use their position for personal advantage or for the advantage of friends, associates or family and must avoid conflicts of interest not specifically addressed in the *School Act*. A Trustee must declare when such a conflict of interest arises and must not take part in a discussion of or vote on the matter or attempt to influence the Board's decision on the matter.
- 1.7 Trustees should not accept gifts from anyone who receives services from, does business with or wants to do business with the District. Trustees may be able to accept gifts of nominal values that are given as an expression of courtesy or hospitality.
- 1.8 Trustees will not attempt to exercise individual authority with respect to Board matters, except as explicitly permitted by policies of the Board. Committees of Trustees or individual Trustees may not exercise the rights, duties and powers of the Board.
- i. Trustees may interact with the Superintendent and staff; however, individual Trustees must recognize that the authority of the Board to delegate specific and general administrative and management duties to one or more of its employees derives from the Board's corporate status and must comply with applicable Bylaw or Board policy.
 - ii. Trustees must ensure that they do not purport to speak for the Board in any interactions with the public, media or other entities unless explicitly authorized by Bylaw or Board policy.
 - iii. Trustees are individually responsible for the content of their comments, posts and "likes" on social media and must ensure that their use of social media is consistent with the Trustee Code of Conduct.
 - iv. Trustees will not express opinions on individual staff performance unless explicitly authorized by Bylaw, Board policy or an official Board process.
 - v. Trustees recognize that only the Board and not individual trustees, may assess the Superintendent's performance.

Breach of Conduct

- 2.1 If a concern arises that a Trustee has acted contrary to this Code of Conduct, the Chair of the Board, or Vice Chair if the concern involves conduct of the Chair, must be notified in writing of the alleged breach of conduct as soon as reasonably possible after the concern arises.

Informal Resolution

- 2.2 If an alleged breach of conduct notification is received, the Chair of the Board, or Vice Chair if the concern involves conduct of the Chair, may address the alleged breach of the Code of Conduct with the Trustee who is the subject of the Complaint and attempt to resolve the matter informally. The decision to pursue an informal resolution should be made within a reasonable period, and no later than thirty (30) school days of being notified of the concern

Investigation of Allegations of Breach of Conduct

- 2.3 The Chair of the Board has the authority to initiate an investigation into allegations of breaches of the Code of Conduct (a “Complaint”). If a Complaint is made against the Chair of the Board, the Vice-Chair has the authority to initiate an investigation into a Complaint. The decision to initiate an investigation should be made within a reasonable period, and no later than thirty (30) school days of being informed of the concern.
- 2.4 The investigator will begin the investigation promptly and will be directed to endeavor to provide the results within thirty (30) school days of being engaged to conduct the investigation. The results of an investigation will be brought to the Board, as soon as reasonably practicable, for a determination as to whether consequences described in paragraph 2.6 could potentially be imposed by the Board. Consequences under paragraph 2.6 require Board resolutions that may only occur after a Code of Conduct Hearing.

Process for Code of Conduct Hearing

- 2.5 If the Board determines that consequences in paragraph 2.6 could potentially be imposed by the Board, the Board will, by majority vote, pass a motion initiating the following process:
- i. Provide to the Trustee who is the subject of the Complaint (the “Subject of the Complaint”), at least seven (7) days prior to a Code of Conduct Hearing:
 - a. the Complaint, in writing,
 - b. any material to be considered by the Board at the Code of Conduct Hearing, and
 - c. a list of the potential consequences that will be considered by the Board at the Code of Conduct.
 - ii. Convene a special private Board meeting regarding the Complaint (a “Code of Conduct Hearing”).
 - a) At the Code of Conduct Hearing, the Chair of the Board (or Vice-Chair if the Complaint is made against the Chair of the Board) shall read out the Complaint and refer to any relevant materials for the Board’s consideration.
 - b) The Subject of the Complaint will have the opportunity to respond to the Complaint.
 - c) The Board may ask clarifying questions to the Subject of the Complaint.
 - d) The Subject of the Complaint shall then leave the Code of Conduct Hearing while the Board deliberates.

- e) The Chair of the Board shall then request any resolution(s) to be placed before the Board. Any resolution(s) of the Board at a Code of Conduct Hearing requires a two-thirds majority vote.
- f) The Subject of the Complaint will be informed of the decision of the Board.
- g) All documentation related to the Code of Conduct Hearing shall be given to the Superintendent or Secretary Treasurer immediately upon the conclusion of the Code of Conduct Hearing.

Potential Consequences of Breach of Conduct

2.6 A violation of the Code of Conduct may result in the following:

- a) A verbal warning.
- b) A letter outlining the breach or concern.
- c) A recommendation for public censure of the Trustee.
- d) Removal of the Trustee from some or all Board committees or other appointments of the Board.
- e) Temporarily suspend the Trustee from participation in private (in camera) Board meetings.

Legal Reference: Sections 49, 50, (Part 5 Sections 55-64), 65, 85, 94, 95 School Act;
 BC Human Rights Code
 Policy 3 – Role of Trustee

SCHOOL TRUSTEES CODES OF CONDUCT: PROVINCIAL CRITERIA GUIDELINES

CONTEXT

PURPOSE

The purpose of this document is to set out best practices and provide guidelines for the voluntary development or refinement of a board of education's ('board') school trustee ('trustee') code of conduct.

This document is meant to be a resource to assist boards in the review of their trustee code of conduct and related policies and processes. The criteria outlined below will help set a common approach and ensure boards can focus on their core responsibilities to deliver an educational program and to support safe and inclusive schools and workplaces.

This document was developed in collaboration between the Ministry of Education and Child Care and the BC School Trustees Association. Its content is based on extensive research including a literature review, a cross-jurisdictional scan, interviews with experts, and learnings from other sectors. This document is not intended as legal advice and should not be relied upon for that purpose. Boards are responsible for developing codes of conduct in their respective districts. Boards are encouraged to seek independent legal advice and/or support from other sources, should circumstances warrant.

What is a code of conduct? Codes, or Standards of Conduct:

- Ensure values that guide ethical behaviour and norms for trustee relationships;
- Promote awareness regarding trustee roles and responsibilities; and
- Encourage respect for divergent views so that boards can focus on student achievement, equity and well-being.

CRITERIA OVERVIEW

The Ministry of Education and Child Care ('the Ministry' or 'ECC'), together with the BC School Trustees Association ('BCSTA') and education partners and rightsholders, have developed the following criteria for codes of conduct for school trustees. The code of conduct criteria is meant to support boards by providing trustees with a clear understanding of roles and expectations on conduct, as well as approaches to investigate breaches of conduct, determine consequences, and restore relationships. It will help ensure boards have the necessary tools and resources to focus decisions on the best interest of students.

It is highly recommended that boards work together with district senior staff to review their codes of conduct to ensure there is:

- ✓ Emphasis on student achievement, equity and well-being;
- ✓ Alignment with BCSTA's principles/standards for codes of conduct:
 - Confidentiality, [addressing] conflicts of interest, integrity, relationships, respect, and responsibility;
- ✓ Alignment with existing provincial and federal legislation;
- ✓ Provisions on:
 - Respectful workplaces & relationships with others;
 - Anti-racism, reconciliation & relations with local First Nations;
 - Acceptable use of social media;
- ✓ Policies and procedures for breaches and sanctions with public accountability;
- ✓ Mechanisms to regularly review and affirm the code;
- ✓ Board training, including with trustee onboarding; and
- ✓ The incorporation of plain language.

CRITERIA GUIDELINES

Together with education partners and rightsholders,¹ the Ministry and the BCSTA have applied research, legal findings, and expert insights to develop the following criteria for province-wide standards for codes of conduct. It is strongly recommended that boards work collaboratively to discuss and develop and/or refine their codes of conduct. The discussions arising from the review process at the board and district senior staff level will be as important as the updates that the board will make to its code of conduct.

The BCSTA and ECC extend appreciation to the boards identified in the following section for allowing excerpts of their policies and guidelines to be used throughout this document.

EMPHASIS ON STUDENT ACHIEVEMENT, EQUITY AND WELL-BEING

Under the *School Act*, a board of education is responsible, collectively, for the improvement of student achievement in their district. For example, boards may wish to include statements such as:

"Trustees make decisions in terms of the educational welfare of children/students and strive for public schools that will meet the needs of all students."

-- SD 73, Kamloops-Thompson

¹ The Ministry and BCSTA worked with an advisory committee (including the First Nations Education Steering Committee (FNEESC), BC Public School Employers' Association (BCPSEA), BC School Superintendents Association (BCSSA), and BC Association of School Business Officials (BCASBO).

ALIGNMENT WITH BCSTA'S CORE VALUES

The BCSTA and best practices from other jurisdictions and organizations recommend that codes of conduct reflect the principles/standards of confidentiality, [addressing] conflict of interest, integrity, relationships, respect and responsibilities. These standards or principles are interrelated. Boards may integrate these throughout codes and/or combine them with other relevant criteria and provisions.

CONFIDENTIALITY

This commonly covers issues around trustees maintaining confidentiality, including of information discussed in closed sessions. Boards may wish to include provisions such as:

"Trustees shall preserve the confidentiality of information discussed at closed school board or committee meetings and shall not release privileged information in any format to the public until the Board has done so in an official capacity."

-- SD 44, North Vancouver

CONFLICTS OF INTEREST

The *School Act* requires trustees to voluntarily and immediately declare any pecuniary conflict of interest (direct, indirect or deemed) in matters before the board or a committee of the board. Boards may wish to reference these requirements in their codes of conduct with relevant provisions, such as:

"As a trustee, I will not use my role as Trustee for my own personal advantage or for the advantage of my friends, supporters, or business. If I become aware that I am in a position that creates a conflict of interest (direct, indirect; statutory or common law), I will declare the nature and extent of the conflict at a meeting of the Board of Education and abstain from deliberating or voting on the issue giving rise to the conflict."

-- SD 6 Rocky Mountain

INTEGRITY

Integrity includes reference to other criteria such as being student-centered and referencing applicable legislation. Integrity may also include:

- Trustees making all decisions based on available facts and their independent judgment and refusing to surrender that judgment to individuals or special interest groups; and
- Trustees acting with the highest standards of professional integrity and in a manner that inspires public confidence in the board.

Boards may wish to directly reference integrity in their codes of conduct provisions:

"Board members will do everything possible to maintain the integrity, confidence, and dignity of the office of School Trustee."

-- SD 35, Langley

RELATIONSHIPS

Relationships include those with other trustees, with district staff, and with all members of an educational community. This includes working respectfully with others, recognizing the importance of good relationships to boards' core responsibilities to deliver educational programs and support safe and inclusive schools and workplaces. Boards may wish to include reference to the principle of relationships:

"Trustees shall work with fellow board members in a spirit of harmony and cooperation and be respectful of differences of opinion. Trustees shall refrain from making discrediting comments about others, engaging in unwarranted criticism, or taking private action that could compromise the integrity or authority of the Board."

-- SD 44, North Vancouver

RESPECT

Respect includes reference to criteria on provisions for respectful workplaces and relationships with others, and anti-racism, reconciliation, and relations with local First Nations. This also includes respecting differing views and being prepared for board meetings and committee work. Boards may wish to emphasize respect in their codes of conduct:

"Trustees shall represent the Board in all Board-related matters with proper decorum and respect for others."

-- SD 63, Saanich

RESPONSIBILITY

In addition to the other responsibilities referenced in the provincial criteria, responsibility also includes upholding board decisions and ensuring effective stewardship of board resources in the best interests of students. Boards may wish to directly include provisions on responsibility such as:

"I will recognize that, although I am elected from a particular area of the District, my responsibility is to ensure that decisions are made in the best interests of the District as a whole."

-- SD 6, Rocky Mountain

ALIGNMENT WITH EXISTING PROVINCIAL AND FEDERAL LEGISLATION

Boards and trustees have legal responsibilities as set out in the *School Act* and under common law. Additionally, boards and trustees are subject to, and must comply with, all applicable provincial and federal laws. This includes the *Criminal Code*, *Freedom of Information and Protection of Privacy Act*, *Human Rights Code*, *Workers' Compensation Act*, and other applicable legislation. Boards may wish to include relevant provisions such as:

"Trustees shall abide by the policies of the Board, all applicable legislation and regulations, in particular the School Act and the Oath of Office."

-- SD 63, Saanich

PROVISIONS ON:

RESPECTFUL WORKPLACES & RELATIONSHIPS WITH OTHERS

In addition to the guidance on the principles of respect and relationships, this provision relates to compliance with the Human Rights Code and the *Workers' Compensation Act*. As the employer, boards must work with staff, students, and communities abiding by applicable legislation, and supporting safe, inclusive workplaces and communities. Boards may wish to include provisions such as:

"This commitment includes... appropriate decorum in individual and group behaviour and fair and respectful treatment of students, parents, staff, members of the community and other Board members."

-- SD 35, Langley

ANTI-RACISM, RECONCILIATION & RELATIONS WITH LOCAL FIRST NATIONS

Boards have an important role in addressing systemic racism and promoting an active culture of anti-racism in schools. To uphold the Human Rights Code and support safe, inclusive educational communities, boards may wish to integrate the principles from the *Declaration on the Rights of Indigenous Peoples Act* and the Ministry's K-12 [Anti-Racism Action Plan](#) into their codes through provisions such as:

"Trustees will recognize their duty to represent and advocate for the best interests of learners in the community, including Indigenous communities and First Nations on whose traditional territories our schools operate."

-- SD 37, Delta

ACCEPTABLE USE OF SOCIAL MEDIA

Boards may wish to directly include provisions on acceptable use of social media (including confidentiality, respect, conflict of interest) or reference their communications policy in their code of conduct. Provisions could include:

“The Board of Education remains committed to responsible digital citizenship and to minimizing the risks associated with the use of electronic communications systems and access to social media.”

-- SD 6, Rocky Mountain

POLICIES AND PROCEDURES FOR BREACHES AND SANCTIONS, PUBLIC ACCOUNTABILITY

Misconduct and breaches may affect boards’ abilities to deliver on their core responsibilities to offer an educational program and their ability to support safe and inclusive schools and workplaces. It is best to ensure boards take a proactive approach by establishing policies outlining processes to address breaches as well as steps to restore relationships after the occurrence of a breach.

When there are issues with misconduct, it is best to develop solutions to resolve issues early and with measures that are commensurate with the underlying factual context. When appropriate, boards could also take an incremental approach (i.e., having informal complaint processes and mediated conversations before a formal complaint process is triggered). A board may wish to seek legal advice depending on the nature of the complaint.

If proactive measures do not result in changed behaviour, disciplinary measures for breaches may be imposed in a remedial and restorative manner, reflecting the seriousness of the breach. These measures may include the offending trustee:

- Writing a letter of apology;
- Participating in a restorative justice process;
- Participating in specific training, coaching, or counselling as directed by the board;
- Being subject to a motion of censure passed by a majority of the voting trustees at a closed (i.e., in-camera) board meeting; or
- Being removed from one, some, or all board committees or other appointments by a majority of voting trustees at an in-camera board meeting.²
 - It is important to note that, except as expressly permitted by the *School Act*, a board’s authority does not extend so far as to effectively remove a trustee from their elected office.

The board may, at its discretion and by resolution of the voting trustees, make public the outcome(s) of the official complaint process if the board considers this reasonable and appropriate. However, the board should be careful to avoid disclosing details that identify third parties or disclose confidential information. The board must comply with its obligations to protect the privacy of others under the *School Act* and the *Freedom of Information and Protection of Privacy Act*.

Boards should act in accordance with principles of administrative fairness, which includes avoiding bias (including the perception of bias). The Ombudsperson’s Office has developed the [Complaint Handling](#)

² The imposition of a disciplinary measure barring a trustee from attending all, or part of, a board meeting shall be deemed to be the authorization for the trustee to be absent from the meeting, and therefore not in violation of the *School Act* regarding absences from meetings.

[Guide](#) as a resource on the topic of fairness. Furthermore, the [Public Authority Consultation and Training Team](#) in the Ombudsperson's Office is available to provide support to public bodies, including boards of education, to ensure they incorporate and reflect administrative fairness principles. Boards may also contact the BCSTA for resources.

MECHANISMS TO REGULARLY REVIEW AND AFFIRM THE CODE

Effective codes are living documents that are strengthened through regular review and affirmation. Boards may wish to include requirements such as:

"The Board shall review this policy within six months of the Inaugural Board Meeting."

-- SD 44, North Vancouver

BOARD TRAINING, INCLUDING WITH TRUSTEE ONBOARDING

In addition to regular review and affirmation, board training strengthens the effectiveness and usefulness of codes of conduct. Boards may wish to include training provisions in their codes of conduct, such as:

"Trustees will endeavour to take advantage of educational conferences, workshops, and training sessions made available by local or provincial affiliations. Through participating in professional development opportunities, Trustees can enhance their knowledge of Trustee roles and responsibilities and become acquainted with current educational topics and trends."

-- SD 44, North Vancouver

The BCSTA provides sessions on governance and codes of conduct, and will also offer requested assistance or advice to boards. Please contact the BCSTA directly for support.

In addition, the Ministry and BCSTA have developed an onboarding approach to support trustees in their role. This training includes sessions on six key areas: Governance, Legislation, Roles and Responsibilities; Relations with First Nations; Working with People; Values-Based, Evidence-Informed Decision Making; Planning for Student Success; and Financial and Resource Management. Boards and trustees can find more information on BCSTA's HUB, in the [Virtual Orientations section](#).

PLAIN LANGUAGE

When revising a code of conduct, boards may wish to promote accessibility by presenting information in clear, understandable language. In addition to defining certain terms and refraining from using jargon, some boards have also written their codes with plain language and "I" statements. For example:

"I will do my best to protect, conserve, and advance public education, giving to the children of this District educational facilities and services that are as complete as it is possible to provide."

-- SD 6, Rocky Mountain

To support the principles underpinning codes of conduct and to promote consistency in the application of codes across the province, the Ministry and BCSTA encourage all boards to review their codes of conduct in accordance with these criteria guidelines. Please submit your updated codes to EDUC.Governance.Legislation@gov.bc.ca by **April 30, 2024**.

APPENDIX A: CODES OF CONDUCT

School District	Code of Conduct ³	Updated
SD05 Southeast Kootenay	Policy 4 - Trustee Code of Conduct	2021/08
SD06 Rocky Mountain	Policy 1500 - Trustee Role, Responsibility and Code of Ethics	2021/11
SD08 Kootenay Lake	Policy 130: Trustee Code of Professional and Ethical Conduct	2023/01
SD10 Arrow Lakes	Policy 120 – Governance (Section 4.0 Board of Education Code of Conduct)	2017/05
SD19 Revelstoke	Policy 2.2 - Composition, Roles and Conduct	2014/10
SD20 Kootenay-Columbia	Policy 5.12 - Trustee Code of Conduct	2018/01
SD22 Vernon	Policy 130 - Trustee Code of Ethics and Conduct	2022/09
SD23 Central Okanagan	125 - Trustee Code of Ethics	2021/09
SD27 Cariboo-Chilcotin	Policy 130 – Trustee Code of Conduct	2019/11
SD28 Quesnel	Policy 107 - Trustee Code of Ethics	2023/01
SD33 Chilliwack	130 - Trustee Code of Conduct Separate Policy – 131 Trustee Conflict of Interest	2022/03
SD35 Langley	Policy 4 - Trustee Code of Conduct	2020/12
SD34 Abbotsford	Policy 6 – Trustee Code of Ethics	2013/10
SD36 Surrey	Policy 2100 - Trustee Code of Conduct	2018/01
SD37 Delta	Policy 4 - Trustee Code of Conduct	2022/06
SD38 Richmond	Policy 200 – Trustee Role, Responsibilities and Code of Ethics	2008/09
SD39 Vancouver	Policy 4 - Trustee Code of Conduct	2021/12
SD40 New Westminster	Policy 4 - Trustee Code of Conduct	2017/05
SD41 Burnaby	Policy 1.05 Trustee Code of Conduct and Ethics	2021/04
SD42 Maple Ridge-Pitt Meadows	Policy 2919 - Trustees' Code of Conduct	2019/12
SD43 Coquitlam	Policy 4 - Trustee Code of Ethics	2019/02
SD44 North Vancouver	Policy 108 - Trustee Code of Ethics	2018/09
SD45 West Vancouver	Policy 108 – Trustee Code of Ethics	2022/06
SD46 Sunshine Coast	Policy 3 – Role of Trustee	2022/10

³ Generally captured as policy. As per [SD 20](#), policies are statements of principle whereas bylaws are legally enforceable resolutions of the board.

School District	Code of Conduct ³	Updated
SD47 Powell River	Policy 4: Trustee Code of Conduct	2022/05
SD48 Sea to Sky	Policy 204 - Trustee Code of Conduct	2022/03
SD49 Central Coast	Policy 120: Trustee Code of Conduct	2018/04
SD50 Haida Gwaii	Policy 2.0 - Governance	2018/09
SD51 Boundary	Policy 1110 - Trustee Code of Ethics	2018/03
SD52 Prince Rupert	6140 - Role of the Trustee and Trustee Code of Conduct Policy	2020/10
SD53 Okanagan Similkameen	Policy A-4 - Trustee Code of Conduct	2019/10
SD54 Bulkley Valley	Policy 1.180 - Trustee Code of Conduct	2021/04
SD57 Prince George	Policy 4 – Trustee Code of Conduct	2022/06
SD58 Nicola-Similkameen	Policy 205.3 - Trustee Code of Ethics and Conduct	2020/01
SD59 Peace River South	Policy 2150 – Roles and Responsibilities of the Board	2020/01
SD60 Peace River North	Policy 1001 - Roles and Responsibilities of the Board and Trustees	2021/08
SD61 Greater Victoria	Policy 8251 - Trustees' Code of Conduct	2022/05
SD62 Sooke	Policy A-105 – Trustee Code of Conduct	2021/01
SD63 Saanich	Policy 13 – Trustee Code of Conduct	2020/11
SD64 Gulf Islands	Policy 107 - Trustee Code of Conduct	2018/06
SD67 Okanagan Skaha	Policy 4 - Trustee Code of Conduct	2019/11
SD68 Nanaimo-Ladysmith	Policy 2.3 - Code of Conduct	2012/12
SD69 Qualicum	Trustee Code of Ethics included in Trustee Handbook (and Bylaw)	2022/09
SD70 Pacific Rim	Policy 112 - School Trustee Code of Conduct	2022/10
SD71 Comox Valley	Policy 4 – Trustee Code of Conduct	2023/03
SD72 Campbell River	Board Governance Policy 7 – Trustee Code of Conduct	2017/10
SD73 Kamloops/ Thompson	Policy 4 - Trustee Code of Conduct	2019/06
SD74 Gold Trail	Policy 1.100 Trustee Code of Conduct	2022/10
SD75 Mission	Policy 1.2 Trustee Code of Ethical Conduct	2022/06
SD78 Fraser-Cascade	Bylaw 17 - Trustee Code of Conduct ; Conflict of interest in stand alone Bylaw #7	2018/03
SD79 Cowichan Valley	Policy 4 – Trustee Code of Conduct	2018/09

School District	Code of Conduct ³	Updated
SD81 Fort Nelson	Policy 1111 - Trustee Code of Ethics; Policy 1112 – Expectations of Trustees	2015/03
SD82 Coast Mountains	Policy 5010 - Trustee Code of Ethics	2021/12
SD83 North Okanagan-Shuswap	Policy 133 - Trustee Code of Conduct	2022/04
SD84 Vancouver Island West	Policy 4 - Trustee Code of Ethics	2022/6
SD85 Vancouver Island North	Policy 1-03 - Trustee Code of Conduct Sanctions	2021/05
SD87 Stikine	Policy 3 – Role of Board – District Expectations - Trustees	2009/06
SD91 Nechako Lake	Policy 200.2 - Trustee Code of Conduct	2022/09
SD92 Nisga'a	Policy 4 - Trustee Code of Conduct	2020/12
SD93 CSF	Code of Ethics	2018/06

APPENDIX B: FURTHER RESOURCES

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Vancouver School District Policy & Governance Committee

February 07, 2024

1



LAND ACKNOWLEDGEMENT

With deep gratitude and respect, we are honoured to be learning and unlearning on the ancestral and unceded lands of the x^wməθk^wəy̓əm (Musqueam), Skwxwú7mesh Úxwumixw (Squamish Nation) & səlilwətał (Tsleil-Waututh Nation).



x^wməθk^wəy̓əm
(Musqueam)



Skwxwú7mesh Úxwumixw
(Squamish Nation)



səlilwətał
(Tsleil-Waututh Nation)

2

Live-streamed

The meeting is currently being broadcasted live, and both the audio and video recordings will be accessible to the public for viewing even after the meeting ends.

Footage from this meeting may be viewed from Canada or anywhere else in the world.

3

Meeting Decorum

The Board has a strong commitment to ethical conduct. This includes the responsibility of committee participants to conduct themselves with appropriate decorum and professionalism. As Chair of the Committee it is my responsibility to see that decorum is maintained. To do that I ask that:

- all participants request to speak through the chair;
- civility towards others is maintained as participants share perspectives and participate in debate;
- staff be able to submit objective reports without influence or pressure as their work is acknowledged and appreciated;
- all participants refrain from personal inflammatory/accusatory language/action;
- all participants present themselves in a professional and courteous manner.

4

Introductions

Participants: please state your first and last name and the name of the group you are representing or position with VSB

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ITEM 2.1 Policy Review Work Plan

Flavia Coughlan, Secretary Treasurer/CFO

6

VSBC Vancouver School Board

Policy Review Work Plan 2023/24 Review Year

Policy	
Policy 3	Role of the Trustee
Policy 4	Trustee Code of Conduct
Policy 10	Policy Development
Policy 13	NEW: Naming and Renaming of Facilities
Policy 14	School Closure
Policy 19	Accumulated Operating Surplus
Policy 20	Disposal of Land or Improvements
Policy 21	Anti-Racism and Non-discrimination

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VSBC Vancouver School Board

QUESTIONS?

ITEM 2.1 Policy Review Work Plan

8

ITEM 3.1

Policy Discussion: Role of the Trustee and Trustee Code of Conduct

Flavia Coughlan, Secretary Treasurer/CFO

9

SMALL GROUP DISCUSSION

10

Small Group Discussion

Guiding Questions:

- Are there any ambiguities or areas that need clarification in this policy?
- Do you have any suggested revisions or additions to this policy?

Process:

- Self-reflection
- Facilitated Discussion
- Emerging Feedback Themes



11

QUESTIONS?

ITEM 3.1 Policy Review Work Plan

12

**THANK YOU
FOR YOUR TIME**
