
TRUSTEE CODE OF CONDUCT HEARING PROCEDURES

1. The “Code of Conduct Hearing” shall be conducted at an in-private session of a Special Board Meeting, convened for that purpose. The Board, at its sole discretion, may record the in private session of the special Board meeting by electronic means. Where recording will take place, the complaining Trustee and the respondent Trustee shall be advised by the presiding Chair at the commencement of the Code of Conduct Hearing.
2. The sequence of the Code of Conduct Hearing shall be:
 - 2.1 The complaining trustee shall provide a presentation which may be written or oral or both;
 - 2.2 The respondent trustee shall provide a presentation which may be written or oral or both;
 - 2.3 The complaining trustee shall then be given an opportunity to reply to the respondent trustee’s presentation;
 - 2.4 The respondent trustee shall then be provided a further opportunity to respond to the complaining trustee’s presentation and subsequent remarks;
 - 2.5 The remaining trustees of the Board shall be given the opportunity to ask questions of both parties;
 - 2.6 The complaining trustee shall be given the opportunity to make final comments, and
 - 2.7 The respondent trustee shall be given the opportunity to make final comments.
3. Following the presentation of the respective positions of the parties, the parties and all persons other than the remaining trustees who do not have a conflict of interest shall be required to leave the room, and the remaining trustees shall deliberate in private, without assistance from administration. The Board may, however, in its discretion, call upon legal advisors to assist them on points of law or the drafting of a possible resolution.
4. If the remaining trustees in deliberation require further information or clarification, the parties shall be reconvened and the requests made in the presence of both parties. If the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment of the Code of Conduct hearing to a later date.
5. In the case of an adjournment, no discussion by trustees whatsoever of the matters heard at the Code of Conduct hearing may take place until the meeting is reconvened.
6. The remaining trustees in deliberation may draft a resolution indicating what action, if any, may be taken regarding the respondent trustee.
7. The presiding Chair shall reconvene the parties to the Code of Conduct hearing and request a motion to revert to the open meeting in order to pass the resolution.

8. All documentation that is related to the Code of Conduct hearing shall be returned to the Superintendent or designate immediately upon conclusion of the Code of Conduct hearing and shall be retained in accordance with legal requirements.
9. The presiding Chair shall declare the special Board meeting adjourned.
10. A violation of the Code of Conduct may result in the Board instituting, without limiting what follows, any or all of the following sanctions:
 - 10.1 Having the Board Chair write a letter of censure marked “personal and confidential” to the offending trustee, on the approval of a majority of those trustees present and allowed to vote at the special meeting of the Board;
 - 10.2 Having a motion of censure passed by a majority of those trustees present and allowed to vote at the special meeting of the Board;
 - 10.3 Having a motion to remove the offending trustee from one, some or all Board committees or other appointments of the Board passed by a majority of those trustees present and allowed to vote at the special meeting of the Board, for a time not to exceed the trustee’s term as trustee.
11. The Board may, in its discretion, make public its findings at the special meeting or at a regular meeting of the Board where the Board has not upheld the complaint alleging a violation of the Board’s Code of Conduct or where there has been a withdrawal of the complaint or under any other circumstances that the Board deems reasonable and appropriate to indicate publicly its disposition of the complaint.

Legal Reference: Section 60, 61, 68, 72, 80, 81, 82, 83, 84, 85, 86, 246 School Act