

Conflict of Interest Regulation

6260-10 | Conflict of Interest Regulation

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High standards of conduct are expected from trustees and district employees. Behavior in accordance with those standards is paramount in developing and maintaining the public's trust and confidence in the district. Compliance with the high standards of conduct established by the Board are a condition of employment.

Trustees and employees are expected to comply with the standards and expectations expressed in the Conflict of Interest Policy and this regulation, and to exhibit these qualities and values within their daily activities as they relate to district business.

Trustees and employees are expected to request a determination from the Secretary-Treasurer before engaging in any activity which might reasonably raise questions about a possible conflict of interest.

This regulation is not intended to prohibit employees and their immediate families from conducting legitimate business with the Board. This regulation is intended to establish parameters regarding how such business is to be conducted.

A breach of the conflict of interest policy and regulation is considered to be a serious breach of a trustees' or employee's obligations and which may result in discipline or dismissal.

1.0 The issue of conflict of interest is a delicate one that must be handled with the utmost care and consideration for trustees and employees, while adhering to an unwavering commitment to high standards of conduct including but not limited to the following:

1.1 Trustees have a duty of loyalty to the district as set out in the School Act. Employees have a duty of loyalty to the district as their employer. This duty of loyalty requires trustees and employees to provide services to the best of their ability regardless of their own personal perspectives of Board direction or policy. The honesty and integrity of trustees and employees must be above reproach and coupled with impartiality in the conduct of their duties to ensure that their actions avoid public doubt. The actions and conduct of trustees and employees must be such as to instill confidence in the district and public education.

1.2 It is essential that trustees and employees recognize their responsibility to ensure that confidential information received as a result of their position with the district remains confidential. Such information is not be divulged to anyone other than individuals authorized to receive such information. This includes confidential information received verbally, or in written or electronic form. Disclosure of confidential information may put trustees or employees in a position of conflict of interest, and great care must be taken when communicating with individuals inside and outside the district.

1.3 A conflict of interest may also occur when a trustee's or employee's private affairs or financial interests are in conflict, or could result in a perception of conflict, with the trustee's or employee's duties or responsibilities in such a way that:

- the trustee's or employee's ability to act in the public interest could be impaired; or
- the trustee's or employee's actions or conduct could undermine or compromise the public's confidence in the trustee's or employee's ability to discharge their responsibilities, or
- it diminishes the trust that the public places in the district.

2.0 While trustees and employees have the right to be involved in activities as citizens of the community, conflict must not exist between trustees and employees' private interests and the discharge of their district-related duties. Upon accepting a position in the district, trustees and employees must arrange their private affairs in a manner that will prevent conflicts of interest, or the perception of conflicts of interest, from arising.

3.0 Examples of conflicts of interest include, but are not limited to, the following:

3.1 A trustee or employee uses district property, or the employee's position, to pursue personal interests or promote their business interests or those of their family;

3.2 A trustee or employee is under obligation to a person who might benefit from, or seek to gain, special consideration or favour;

3.3 A trustee or employee, in the performance of their duties, gives preferential treatment to an individual, corporation or organization, including a non-profit organization, in which the trustee or employee, or a relative or friend of the trustee or employee, has an interest, financial or otherwise;

3.4 A trustee or employee benefits from, or is reasonably perceived by the public to have benefited from, the use of information acquired solely by reason of the trustee's or employee's position;

3.5 A trustee or employee benefits from, or is reasonably perceived by the public to have benefited from, a government transaction over which the trustee or employee can

influence decisions (for example, investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approvals, or appointments);

3.6 An employee receives any additional fees or compensation for teaching, tutoring, counseling, coaching, acquiring supplies or other related services provided to students under their individual care;

3.7 A trustee or employee requests or accepts from an individual, corporation or organization, directly or indirectly, a personal gift or benefit that arises out of their position in the district other than:

- the exchange of normal hospitality between persons doing business together, or
- gifts to persons participating in public functions.

4.0 Trustees and employees are in a conflict of interest when dealing with direct relatives or individuals who permanently reside with them when the following working relationships exist:

4.1 A reporting relationship exists where a trustee or employee has influence, input or decision-making power over the other employee's performance evaluation, salary, premiums, special permissions, conditions of work and similar matters; or

4.2 The working relationship affords an opportunity for collusion between the two employees that would have a detrimental effect on the district's interest.

This restriction on working relationships may be waived provided that the Secretary-Treasurer is satisfied that sufficient safeguards are in place to ensure that the district's interests are not compromised.

5.0 Trustees and employees are to disqualify themselves as participants in personnel decisions when their objectivity would be compromised for any reason, or if any benefit or perceived benefit could accrue to them or a family member. For example, trustees and employees are not to participate in staffing actions involving direct relatives or persons living in the same

household.

6.0 Trustees and employees may

- engage in remunerative employment with another employer,
- carry on a business,
- receive remuneration from public funds for activities outside their position, or
- engage in volunteer activities,

provided it does not:

6.1 interfere with the performance of their duties as a trustee or employee of the district;

6.2 bring the district into disrepute;

6.3 represent a conflict of interest or create the reasonable perception of a conflict of interest;

6.4 appear to be an official act or to represent district direction or policy;

6.5 involve the unauthorized use of work time or district premises, services, equipment or supplies to which they have access by virtue of their position with the district; or

6.6 gain an advantage that is derived from their position with the district.