

ROLLING RIVER SCHOOL DIVISION POLICY

Trustee Conflict of Interest

BBFA/P

Trustees will act at all times in the best interest of the school division, fulfilling their responsibilities and obligations as elected officials in a fashion that inspires the confidence and trust in their integrity, objectivity and impartiality of the school board.

Trustees will abide by the provisions of all federal, provincial and local legislation, including but not limited to human rights statutes, and *The Public Schools Act*, as well as school division by-laws and policies. For the purposes of this policy, trustees will abide by legislation set out in Sections 36 – 39 of *The Public Schools Act*.

Definition

A conflict of interest exists when an individual trustee's personal interests, or those of family members or close personal associates, financial or otherwise, interfere with or compromise the trustee's ability to act in the best interests of the school division and constituents whom it serves. Such conflict can ***be real, potential or perceived***.

In addition to the provisions of the Public Schools Act concerning monetary conflicts of interest, trustees are also considered to be in conflict of interest in these situations:

- a. When they, members of their family, business partners or close personal associates may benefit financially, professionally, either directly or indirectly, from the trustees' position on the board;
- b. When circumstances arise that compromise, or appear to compromise, independence and impartiality to make fair and unbiased decisions (i.e. employment or professional status, political affiliation, community connections);
- c. When they appropriate financial or other resources for personal use (e.g. information, equipment, supplies, transportation, training).
- d. When they are involved in staffing and student issues involving family members, business associates or personal friends (i.e. contracting for services, hiring's, promotions, evaluations, disciplinary actions).

Disclosure

- A trustee must openly disclose a real, potential or perceived conflict of interest as soon as the issue arises and before the board or its committees deal with the matter.
- Where uncertain about whether or not the issue constitutes a conflict of interest, the trustee may consult with the board chair or the secretary-treasurer for advice and guidance.
- Where any trustee is aware of a real, potential or perceived conflict of interest not declared by any other trustee, he/she has a responsibility to raise the issue for clarification with the individual, and if unresolved, then the Board.
- Full disclosure does not remove or eliminate a conflict of interest.

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Trustee Conflict of Interest - Continued

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Decision-Making Process

Where there is a question or uncertainty about a conflict of interest circumstance, the board will make a final determination by vote. The trustee potentially in conflict will be absent from the discussion and the vote. Where a conflict of interest is declared/confirmed, the trustee so affected will be absent from any discussion of the issue and the subsequent vote upon it. Further, the trustee will not attempt to personally influence the board's decision in regard to the issue.

Conflict of interest disclosures and decisions will be recorded in the official minutes of the meeting at which such disclosure/decision occurred.

Index Regulation

Date Adopted: June 6, 2018

Date Revised: April 14, 2021