



# BRANT HALDIMAND NORFOLK Catholic District School Board

## Agenda

Catholic Education Centre  
322 Fairview Drive  
Brantford, ON N3T 5M8

### Policy Committee Meeting Monday June 16, 2025 ♦ 3:00 p.m. Boardroom

#### Trustees:

Dan Dignard (Chair), Dennis Blake, Bill Chopp, Carol Luciani, Rick Petrella (on leave), Mark Watson

#### Senior Administration:

Mike McDonald (Director of Education & Secretary), Rajini Nelson (Superintendent of Business & Treasurer)  
John Della Fortuna, Kevin Greco, Michael Lawlor, Phil Wilson (Superintendents of Education)

#### 1. Opening Business

- 1.1 Opening Prayer
- 1.2 Attendance
- 1.3 Approval of the Agenda
- 1.4 Approval of Minutes from the Policy Committee Meeting – May 13, 2025 Pages 2-5
- 1.5 Business Arising from the Minutes

#### 2. Committee and Staff Reports

- 2.1 Board By-Laws To Be Distributed  
Presenter: Mike McDonald, Director of Education & Secretary
- 2.2 Trustee Expenses #100.10 Pages 6-16  
Presenter: Mike McDonald, Director of Education & Secretary
- 2.3 Trustee Code of Conduct #100.04 Pages 17-29  
Presenter: Mike McDonald, Director of Education & Secretary
- 2.4 Rescinded Policies Pages 30-33  
Presenter: Mike McDonald, Director of Education & Secretary
  - Access to Legal Counsel #100.09

#### Adjournment

Next meeting: TBD



# **BRANT HALDIMAND NORFOLK Catholic District School Board**

## **Minutes**

Catholic Education Centre  
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### **Policy Committee Meeting Tuesday May 13, 2025 ♦ 4:00 p.m. Boardroom**

#### **Trustees:**

Dan Dignard (Chair), Dennis Blake, Carol Luciani, Mark Watson

**Regrets:** Bill Chopp

#### **Senior Administration:**

Mike McDonald (Director of Education & Secretary), Rajini Nelson (Superintendent of Business & Treasurer), John Della Fortuna, Michael Lawlor, Phil Wilson (Superintendents of Education)

**Regrets:** Kevin Greco (Superintendent of Education)

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## **1. Opening Business**

### **1.1 Opening Prayer**

The meeting was opened with prayer led by Chair Dignard.

### **1.2 Attendance**

Attendance was noted as above.

### **1.3 Approval of the Agenda**

Moved by: Carol Luciani

Seconded by: Dennis Blake

THAT the Policy Committee of the Brant Haldimand Norfolk Catholic District School Board approves the agenda of the May 13, 2025, meeting.

**Carried**

### **1.4 Approval of Minutes from the Policy Committee Meeting – April 8, 2025**

Moved by: Mark Watson

Seconded by: Dennis Blake

THAT the Policy Committee of the Brant Haldimand Norfolk Catholic District School Board approves the minutes of the April 8, 2025, meeting.

**Carried**

## **2. Committee and Staff Reports**

### **2.1 Home School Policy #200.16**

Superintendent Della Fortuna presented the Home School policy. The policy promotes collaboration between families and schools and encourages continued connection with school principals and parishes to support both educational development and faith formation. Some of the key changes include parents submitting written notification of their intent to homeschool annually by September 1, along with the availability to enroll part time in specialized subjects, access to ministry supported online learning platforms and a new emphasis on mental health as per PPM 168. Continuity of renewal requests for September 1 across all pages in the policy was requested.



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Moved by: Carol Luciani

Seconded: Mark Watson

THAT the Policy Committee recommends that the Committee of the Whole refers the Home School Policy #200.16 to the Brant Haldimand Norfolk Catholic District School Board for approval.

**Carried**

### **2.2 Home Instruction Policy #200.17**

Superintendent Della Fortuna presented the Home Instruction policy. The key changes made include enhancing accessibility, compliance with ministry guidelines and alignment with modern learning practices. One of the most significant updates is the removal of the three-week waiting period allowing students to receive home instruction as soon as medication documentation is provided. The policy acknowledges Individual Education Plans to support students requiring accommodation and includes clearer definitions of roles and responsibilities for Superintendents, Principals, Classroom Teachers, Home Instruction Teachers, and parents/guardians to ensure a structured and accountable process.

Moved by: Mark Watson

Seconded: Dennis Blake

THAT the Policy Committee recommends that the Committee of the Whole refers the Home Instruction policy #200.17 to the Brant Haldimand Norfolk Catholic District School Board for approval.

**Carried**

### **2.3 Student Clubs Administrative Procedure #200.44**

Superintendent Wilson presented the Student Clubs Administrative Procedure. Minor updates have been made to reflect current practices and reaffirm commitments to student safety, inclusion, and faith formation.

Moved by: Carol Luciani

Seconded by: Mark Watson

THAT the Policy Committee recommends that the Committee of the Whole refers the Student Clubs Administrative Procedure to the Brant Haldimand Norfolk Catholic District School Board for approval.

**Carried**

### **2.4 Opening/ Closing Exercises Administrative Procedure #200.11**

Superintendent Wilson presented the Opening/ closing exercises administrative procedure. Updates include clarifying the process for incorporating the recitation of the pledge of citizenship, strengthens expectations around the delivery of the Land Acknowledgement along with minor administrative and formatting adjustments.

Moved by: Carol Luciani

Seconded by: Dan Dignard

THAT the Policy Committee recommends that the Committee of the Whole refers the Opening/ Closing Exercises Administrative Procedure #200.11 to the Brant Haldimand Norfolk Catholic District School Board for approval.

**Carried**



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### **2.5 Head Lice (Pediculosis) #200.20**

Superintendent Wilson presented the updated Head Lice (pediculosis) policy. In recent years, the role of schools in managing pediculosis has shifted from immediate removal of affected students to a more supportive, educational approach. The focus is now on minimizing disruption to learning while emphasizing education, prevention, and family responsibility for treatment. Schools are tasked with communicating regularly with parents, protecting student dignity and privacy, and supporting a consistent response that avoids academic penalties or exclusion due to lice. Clarification was requested regarding next steps in the event of an outbreak within a classroom and it was confirmed that all decisions would be made in consultation with public health.

Moved by: Dennis Blake

Seconded by: Mark Watson

THAT the Policy Committee recommends that the Committee of the Whole refers the Head Lice Policy #200.20 to the Brant Haldimand Norfolk Catholic District School Board for approval.

**Carried**

### **2.6 Employee Expenses #700.04**

Superintendent Nelson presented the employee expenses policy. The revisions made to the policy align with the Broader Public Sector (BPS) Expense directive, ensuring consistency and accountability across the organization. Two significant changes involve the prohibition of alcohol while conducting board business and the pre-approval process for high cost or out of province conference travel. Clarification was requested regarding the approval process for the Director of Education's expenses. It was confirmed that the Chair of the Board approves the Directors expenses. A recommendation was made to have out of province and out of country travel for employees be made in consultation with the Board of Trustees. This discussion item will be brought back to Executive Council for further discussion.

Moved by: Mark Watson

Seconded by: Carol Luciani

THAT the Policy Committee recommends that the Committee of the Whole refers the Employee Expenses Policy #700.04 to the Brant Haldimand Norfolk Catholic District School Board for approval.

**Carried**

### **2.7 Procurement Policy #700.01**

Superintendent Nelson presented the procurement policy. The policy changes include alignment with current legislation, trade agreements, and accessibility standards. The changes made to the purchasing approval authority levels for the purchase of goods and non-consulting services were discussed and are reflective of current market conditions and in line with other school boards across the sector.

Moved by: Mark Watson

Seconded by: Dennis Blake

THAT the Policy Committee recommends that the Committee of the Whole refers the Procurement Policy #700.01 to the Brant Haldimand Norfolk Catholic District School Board for approval.

**Carried**



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### **3.0 Adjournment**

Moved by: Carol Luciani

Seconded by: Mark Watson

THAT the Policy Committee of the Brant Haldimand Norfolk Catholic District School Board adjourns the May 13, 2025 Policy committee meeting.

**Carried.**

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**Next meeting:** TBD – Boardroom

## REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD POLICY COMMITTEE

Prepared by: Mike McDonald, Director of Education & Secretary  
Presented to: Policy Committee  
Submitted on: June 16, 2025  
Submitted by: Mike McDonald, Director of Education & Secretary

### TRUSTEE EXPENSES - #100.10

Public Session

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#### **BACKGROUND INFORMATION:**

As part of the Ministerial Governance Review of the Brant Haldimand Norfolk Catholic District School Board (BHNCD SB), initiated in December 2024 under the authority of the *Provincial Interest in Education Regulation* (O. Reg. 43/10), several recommendations were issued regarding trustee expenses.

Subsequently, in April 2025, the Honourable Paul Calandra, the current Minister of Education, issued a formal response to Mr. Shull's report and required the Board to take specific actions within defined timelines, including reforms to trustee expense oversight.

Mr. Shull's report included specific recommendations aimed at:

- Enhancing transparency and accountability in trustee spending;
- Aligning expense policies with sector-wide best practices;
- Discouraging expenditures that may lead to reputational risk or negative public perception ("poor optics").

These recommendations were reinforced by the Minister's directive to bring the Board's fiscal practices in line with provincial expectations for responsible stewardship of public funds.

#### **DEVELOPMENTS:**

In direct response to the governance review and subsequent Ministerial directives, the following updates and reforms have been implemented to the Trustee Expense Policy:

(a) Alignment with the Broader Public Sector Accountability Act (BPSAA)

The revised policy explicitly incorporates provisions from the *Broader Public Sector Expenses Directive*, ensuring that all reimbursable trustee expenses:

- Are directly related to Board business;
- Represent prudent and responsible use of public resources;
- Comply with the rules on allowable expenses, documentation, and reimbursement processes.

(b) Incorporation of Language Conveying Fiscal Restraint

In alignment with the Ministry's direction and consistent with the principles of public sector integrity, the policy now includes explicit language that conveys a tone of restraint. The review process spoke to the fact that trustees are expected to demonstrate leadership in the responsible use of funds and avoid discretionary spending that may be perceived as excessive or inappropriate.

(c) Strengthening of Governance and Oversight Mechanisms

The updated policy includes:

- Clearer approval and reporting processes;
- Defined thresholds and categories of allowable expenses;

**RECOMMENDATION:**

THAT the Policy Committee recommends that the Committee of the Whole refers the Trustee Expenses Policy #100.10 to the Brant Haldimand Norfolk Catholic District School Board for approval.



## Trustee Expenses

#100.10

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Adopted:	March 29, 2005
Last Reviewed/Revised:	October 28, 2024
Responsibility:	Superintendent of Business & Treasurer
Next Scheduled Review:	2027-28

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### POLICY STATEMENT

~~The Brant Haldimand Norfolk Catholic District School Board (the “Board”) believes that trustees, in their role of stewards and guardians of Catholic education, should be provided with resources, supports and reimbursements to fulfill their obligations, as allowed through the Education Act and the parameters and guidelines of this Policy and Administrative Procedure. The Board will reimburse trustees for expenses incurred while conducting business on behalf of the Board, including hospitality expenses, which are in compliance with the Broader Public Sector Expenses Directive. The Board also recognizes that, during their term of elected office, trustees require support services to effectively service their constituents~~

~~It is the expectation of the community that Trustees of the Brant Haldimand Norfolk Catholic District School Board will promote and model the Catholic values and beliefs of the Board, and the Catholic Church In keeping with the Mission, Vision and Values of the Brant Haldimand Norfolk Catholic District School Board (the “Board”), the Trustee Expense and Reimbursement Policy is in compliance with the Ontario Education Act, Regulations, other relevant legislation and the Board’s Mission Statement. The Board’s Trustee Expense Policy and Procedure incorporates the four key principles adopted by the Broader Public Sector Expenses Directive: accountability, transparency, value for money, and fairness.~~

### APPLICATION AND SCOPE

~~This Policy and Administrative Procedure was established and provides direction regarding the appropriate reimbursement of expenses incurred by trustees while on Board business and applied to all trustees making an expense claim, regardless of funding source.~~

~~The *Education Act* provides that a Board of Trustees may establish a policy under which Trustees may be reimbursed for out-of-pocket expenses “reasonably incurred in connection with carrying out the responsibilities of a board member”.~~

~~The *Act* specifically recognizes that a Board may reimburse Trustees for travel expenses, to attend Board and committee meetings, and for any other travel for Board business, if approved by resolution of the Board.~~

~~This Policy and Administrative Procedure outline the circumstances under which a Trustee may be reimbursed for expenses incurred while fulfilling their statutory duties, pursuant to the *Education Act*, the Trustee Expense Guideline issued by the Ministry of Education, and the directives issued by Management Board of Cabinet under the *Broader Public Sector Accountability Act*.~~

### REFERENCES

- The Education Act, Section 191.2
- ~~The Income Tax Act~~
- Broader Public Sector Accountability Act
- ~~Broader Public Sector Expenses Directive 2020~~
- Broader Public Sector Travel, Meal and Hospitality Expenses Directive





- ~~Broader Public Sector Perquisites Directive~~
- ~~Ministry of Education Trustee Expense Guideline~~
- ~~FIN 700.01.P – Procurement~~
- ~~Vehicle Rented for School Board Purposes – August 22, 2023 (Staff Only)~~

## APPENDICES

- N/A

## DEFINITIONS:

~~**Hospitality:** is the provision of food, beverage, accommodation, transportation, and other amenities to individuals who are not engaged to work for the Board or other broader public sector organizations (i.e., other school boards, Ontario government, agencies, and public entities).~~

~~**Perquisites (or perks):** refers to a privilege that is afforded to an individual or to a group of individuals, provides a benefit, and is not generally available to others.~~

## ADMINISTRATIVE PROCEDURES:

### ~~Responsibilities~~General Requirements

~~This Procedure applies to all Trustees and provides direction to staff responsible for receiving, reviewing and processing Trustee expense claims.~~

~~Trustee expenses shall only be reimbursed in accordance with this Administrative Procedure. Expenses that are not allowable under this Administrative Procedure may be reimbursed if they have been pre-approved.~~

~~The Treasurer of the Board or Designate shall be responsible for approving Trustee expense claims. In certain circumstances, this will include consultation with the Chair of the Board. All expense claims are subject to review by the Audit Committee of the Board.~~

~~Any dispute regarding the eligibility for reimbursement shall be referred to the external members of the Audit Committee, and if satisfactory resolution is not reached, the affected party may contest the decision at a public meeting of the Board.~~

~~Any overpayment of a Trustee's expenses will be reimbursed to the Board by the Trustee who received the overpayment.~~

~~A summary of Trustee expenses will be brought to the board quarterly and posted on the Board website.~~

~~Annual Trustee expenses will also be posted on the Board's website following the close of the previous school year's financial records.~~

- ~~In general, trustee expenses must be approved by the applicable approval authority in accordance with this Policy and Administrative Procedure.~~
- ~~It is recommended that trustees seek pre-approval of uncertain purchase types to ensure reimbursement will be approved by the applicable approval authority.~~
- ~~Those individuals responsible for approving claims are prohibited from approving their own expenses.~~
- ~~The Superintendent of Business & Treasurer or Designate shall approve the expenses incurred by the Chair of the Board.~~
- ~~Expense claims without appropriate approvals and/or supporting documentation will be flagged for further follow-up and subject to processing delays.~~



- ~~Trustee expenses will be posted on the Board's website annually following the close of the previous school year's financial records.~~

### **Information**

- ~~This Policy and Administrative Procedure was developed using the guidelines outlined by the Province of Ontario and its Ministries, including the Broader Public Sector Expenses Directive.~~
- ~~The Board assumes no obligation to reimburse expenses that are not in compliance with this Policy and Administrative Procedure.~~

### **Equipment**

As per the Information Technology Schedule, Trustees will be provided with the following equipment for their use in fulfilling their duties as a Trustee:

- Cell phone
- Laptop and printer/scanner/copier, to a maximum value of \$3,000.
- Data through the Board's corporate plan.

Trustees are encouraged to work on a paperless basis. Printer paper and office supplies will be supplied as needed.

Any equipment provided for Trustee use remains the property of the Board. All items supplied to the Trustee must be returned to the Board when the Trustee ceases to hold office.

If a Trustee wishes to retain any equipment provided during their tenure, the Treasurer of the Board will determine the process. In addition, a trustee is responsible for any unamortized cell phone/smart phone costs should they wish to retain it. Should the trustee not wish to retain the cell phone it is returned at the end of their term.

Trustees shall treat all Board technology and equipment with care and shall bring any maintenance issues to the prompt attention of Board staff. Under no circumstance shall a Trustee allow a third party to have access, for repairs or otherwise, to a Board-provided device.

Permission for use of a board device while out of the country must be sought in advance. Roaming charges will not be reimbursed by the Board, and it will be the responsibility of a Trustee travelling outside of Canada to ensure that such charges are not incurred.

Additional mobile charges in excess of the Board's standard coverage (for example, personalized ring tones, streaming charges) shall be at the Trustee's expense.

A Trustee may opt out of the Board's corporate data plan, and submit a claim for reimbursement for the cost of a private plan, to an amount that does not exceed the per person rate of the Board's corporate plan.

### **Reporting Requirements**

- ~~Trustees are expected to submit expenses on a regular basis (i.e., quarterly) to Financial Services, using the current electronic method of submission. If the claim is not submitted within the timeframe, a document explanation is required.~~
- ~~All costs must be supported by original invoices and/or receipts including credit/debit card slips and itemized receipts providing details of the expense(s) to be submitted. Credit card slips are insufficient. Business rationale and other details are required depending on the type of expense and may include purpose, date(s), point of origin and destination, other participants, and appropriate approvals.~~
- ~~All approved expense claims (including mileage) must be received by Financial Services by September 10<sup>th</sup> of each year, or the following business day should the 10<sup>th</sup> fall on a weekend. Reimbursement requests for prior year expenses received after that date will be refused and will not be paid, without exception.~~



- ~~• Trustee expenses shall be processed and reimbursed within a reasonable timeframe.~~
- ~~• The Board understands that from time to time receipts may become lost. It is the trustees' responsibility to make every possible effort to obtain a duplicate receipt. Trustees will be allowed reasonably valued missed receipts upon approval and at the discretion and approval of the Superintendent of Business & Treasurer or Designate.~~
- ~~• Any other extraordinary or unusual expense(s), that have been denied by the Superintendent of Business & Treasurer or Designate, that a trustee believes should be paid by the Board, must submit, in writing, to the Chair of the Board with the rationale for such claim. The trustee may then contest the eligibility of a claim during a public session of the Board.~~
- ~~• Pre-approval is recommended to ensure reimbursement will occur.~~

### **Travel**

A Trustee may claim mileage from their primary residence to and from a Board or committee meeting held within the jurisdiction of the Board, paid at a per kilometre rate approved by the Board.

Additional mileage within the jurisdiction of the Board may be claimed if travel is required in order for the Trustee to perform their duties as a Board member.

Mileage to and from an event outside the jurisdiction of the Board must be approved in advance by resolution of the Board of Trustees. Any International travel must be pre-approved by the Minister.

Travel must be by the most economical method available. Carpooling is strongly encouraged wherever feasible.

### **Travel Costs**

- ~~• The Board recognizes that certain trustees will be required to travel as part of their regular duties. Travel within North America must be pre-approved by the Board of Trustees. International travel must be pre-approved by the Minister.~~
- ~~• Travel arrangements must be made using the most practical and economical method of transportation (air, train, taxi, vehicle). A comparison of costs and travel time for different modes of transportation may be requested by the Chair of the Board to ensure the most reasonable, economical option. Air Travel will be reimbursed at a standard fare, up to economy/ coach class or equivalent for all travel within North America. Trustees may use personal frequent flyer program miles to upgrade tickets or personally pay from their own private funds, provided there is no cost to the Board. The Board does not reimburse individuals who choose to use personal frequent flyer miles.~~
- ~~• The cost of flight changes or missed flights will be deemed a personal expense, except in the event of an emergency or extraordinary circumstance and accompanied by a written explanation and approval by the Superintendent of Business & Treasurer or Designate.~~
- ~~• Passports are considered a personal expense and will not be reimbursed under any circumstances.~~
- ~~• Vehicles should only be rented when it is economically justifiable. Unreasonable charges (i.e., penalties and surcharges levied for not filling up a gas tank or extra mileage charges) will not be reimbursed. Documented justification may be requested to support any vehicle rental. Please contact the Director's Office for suggested vendors or agencies.~~
- ~~• The cost of taxi fares and other public transit (i.e., subway, trains, etc.) are reimbursable by the Board. The trustee is responsible for ensuring a receipt is obtained. In the event that a receipt is difficult to obtain, the Board will allow a reasonable amount provided details are provided.~~
- ~~• Reimbursement is provided for necessary and reasonable expenditures on standard parking, public transportation (i.e., subway), highway tolls when driving on Board business. Annual 407 ETR or other transponder charges are considered personal and not reimbursable.~~
- ~~• 407 ETR charges are generally not allowed, except under exceptional emergency circumstances and require the approval of the Superintendent of Business & Treasurer or Designate.~~
- ~~• Parking or traffic violations will not be reimbursed under any circumstance, including those using Board-owned vehicles.~~



### **Use of a Personal Automobile**

- ~~• The Board will reimburse trustees for use of their personal vehicle while on Board business for actual distances travelled from a trustee's home to the meeting locations, Board events, or conferences and back to their home. Mileage rates will be reviewed annually and communicated by the Superintendent of Business & Treasurer when a change is required. Reimbursement for kilometers traveled will be calculated based on the rate in place on the date the travel took place. Trustees must keep daily logs of the kilometers used to track the business use.~~
- ~~• It is highly encouraged that trustees carpool when attending the same event to minimize costs.~~

### **Accommodations**

- ~~• Reimbursement for overnight accommodation will be provided for a standard room or equivalent. In the case of a conference or seminar, trustees should stay at the host hotel if a group rate is offered to participants. Reimbursement for hotel suites, executive floors, or concierge levels is not permitted. Charges above the standard room rate will require prior approval from the Superintendent of Business & Treasurer or Designate.~~
- ~~• Reasonable expenses eligible for reimbursement include internet access, laundry/dry cleaning (when stays are five (5) consecutive days or more), and standard parking charges. Expenses of a personal nature (i.e., hotel movies, mini bars, concierge, fitness facility charges, etc.) are not eligible for reimbursement.~~
- ~~• Penalties or charges incurred for non-cancellation of guaranteed hotel reservations are the responsibility of the trustee and will not be reimbursed. Exceptional circumstances may allow for reimbursement and must be submitted, in writing, to the Superintendent of Business & Treasurer or Designate for a decision.~~

### **Professional Development**

A Trustee wishing to attend a conference or professional development event held outside the jurisdiction of the Board shall, in advance of incurring any expenses for which they intend to seek reimbursement, secure the approval of the Board of Trustees and Treasurer of the Board.

Request for approval shall include a detailed list of anticipate expenses, and an explanation of how the professional development relates to the Trustee's statutory duties.

Attendance at the Annual General Meeting and Regional Meetings sponsored by the Ontario Catholic School Trustees' Association (OCSTA) and When Faith Meets Pedagogy Conference are deemed to be approved, provided that these events are held in Ontario.

Attendance at the Annual Chair and Vice- Chair Conference is deemed approved for the Chair and Vice-Chair of the Board, when held in Ontario

Where attendance is approved, a Trustee may claim reimbursement for:

- Registration fee;
- Accommodation (standard room, conference rate where available);
- Meals if not provided at the event;
- Travel, using the most reasonable, cost-effective means possible;
- Parking

The following expenses are not eligible for reimbursement:

- Room upgrades
- Room service
- Movies/entertaining/recreation charges
- Fitness club fees;
- Charges incurred by a family member/guest;
- Alcoholic beverages;
- Parking tickets;



### **Meals**

Meals which are necessary because a Trustee is attending a meeting or event on behalf of the Board, at events where a meal is not otherwise provided, shall be reimbursed in accordance with the following meal allowance rates (taxes and gratuities included):

- Breakfast - \$10.00
- Lunch - \$12.50
- Dinner - \$22.50

Meals with Board staff, other Trustees, constituents and community members are not necessary to conduct Board business and will not be reimbursed.

Under no circumstances can alcohol be consumed or reimbursed when conducting board business.

### **Meals**

- ~~Reasonable and appropriate meals will be reimbursed while away on business for the Board.~~
- ~~Where meals are included in the costs of conferences or meetings, meal expenses will not be reimbursed.~~
- ~~A meal must be consumed for the expense to be submitted for reimbursement.~~
- ~~Meal expenses will be reimbursed at the established meal allowance rates, regardless of the actual meal costs. Taxes and gratuities are included in the meal allowance rates. Receipts are required to be submitted and retained.~~
- ~~Meal rates in Canada are the following:~~
  - ~~Breakfast - \$10.00~~
  - ~~Lunch - \$12.50~~
  - ~~Dinner - \$22.50~~
- ~~Under no circumstances can alcohol be claimed or reimbursed.~~
- ~~Meals charged to hotel rooms or room service require detailed receipts. Most hotels do not include the itemized receipts and trustees are responsible to obtain the required documentation in order to ensure reimbursement.~~

### **Conferences, Seminars, Workshops**

- ~~Registration fees for approved conferences, seminars and workshops related to Board business will be paid directly by the Board or reimbursed by the Board. Fees and expenses for a guest accompanying trustees are not eligible or reimbursable.~~
- ~~Trustees will be reimbursed for travel to conferences, workshops and other events as approved by the Board. Attendance at the Annual General Meeting and Regional Meetings and other events sponsored by the Ontario Catholic School Trustees' Association (OCSTA) and When Faith Meets Pedagogy Conference are deemed approved for all trustees when these events are held in Ontario. Attendance at the Annual Chair and Vice-Chair Conference is deemed approved for the Chair and Vice-Chair of the Board when held in Ontario.~~
- ~~Attendance at conferences, meetings, or events within North America and outside of Ontario must be approved by the Board of Trustees. Attendance at International conferences, meetings, or events must be approved by the Minister.~~
- ~~Attendance to the Canadian Catholic School Trustee Association (CCSTA) Annual General Meeting must be approved by the Board of Trustees annually.~~
- ~~Pre or post-conference activities such as sightseeing tours are considered personal and are not eligible for reimbursement.~~

### **Hospitality**

~~Hospitality may be extended on behalf of the Board in an economical and consistent manner when it can facilitate Board business and it is considered desirable as a matter of courtesy or protocol. Hospitality may be extended when:~~

- ~~Engaging in discussions or hosting receptions regarding Board matters with representatives from other governments; the broader public sector; business and industry; public interest groups or labour groups;~~
- ~~Providing individuals from national, international, or charitable organizations with an understanding or appreciation of Ontario and the workings of its government.~~
- ~~Honouring distinguished individuals for exceptional public service in Ontario.~~



- conducting prestigious ceremonies for heads of state, government or distinguished guests from the private sector.
- The business of the Board includes hospitality functions.
- Hospitality may never be offered solely for the benefit of trustees, employees or contractors of the Board or other designated agency of the broader public sector.
- Under no circumstances are alcohol expenses permitted.
- All hospitality expenses must be documented and include original itemized invoices or receipts. The claim must include event details regarding purpose, date(s), location, type of hospitality (meals, refreshments, etc.), a list of attendees (those within and outside the Board) and appropriate prior approvals.

### **Hospitality**

Hospitality is the provision of food, beverage, accommodation, transportation and other amenities at Board expense to people who are not engaged in work for the school board.

Hospitality shall not be offered at Trustee expense unless approved in advance by resolution of the Board

### **Perquisites**

~~A perquisite (or “perk”) is allowable only in limited and exceptional circumstances, where it is demonstrated to be a business-related requirement for the effective performance of an individual’s job. Any requests are to be submitted, in writing, to the Chair of the Board and Superintendent of Business & Treasurer or Designate.~~

~~The following perks are not allowed under any circumstance:~~

- Club membership for personal recreation or socializing purposes (i.e., fitness clubs, golf courses, or social clubs).
- Tickets to cultural, sporting, or community events.
- Clothing allowances not related to health and safety or special job requirements.
- Access to private health clinics — medical services outside those provided by the provincial health care system or by the employee’s group insured benefit plans.
- Professional advisory services for personal matters, other than those outlined in the Board Employee Assistance Program (EAP) (i.e., tax or estate planning).

~~These privileges cannot be provided by any means including:~~

- An offer of employment letter, as a promise of a benefit.
- An employment contract.
- A reimbursement of an expense.
- Trustees must also be aware of receiving perks from outside stakeholders (i.e., vendors). The receipt of any perks from outside stakeholders, regardless of value, is prohibited and should be reported to the Chair of the Board and the Superintendent of Business & Treasurer or Designate.

### **Perquisites**

A perquisite (or “perk”) refers to a privilege that is afforded to an individual or to a group of individuals, provides a benefit, and is not generally available to others.

Trustees are prohibited from providing or receiving perks.

A Trustee who is offered a perk, regardless of value, should report the offer to the Chair of the Board and the Director of Education.

### **Ineligible Expenses**

Expenses for which Trustees will not be reimbursed include:

- Tickets to community or fundraising events, unless the Trustee is invited to represent the Board,





and attendance has been approved by resolution of the Board.

- Gifts and donations given and/or made by any Trustee to groups or individuals
- Advertising, sponsorships, promotions and political advocacy
- Fees related to the development and maintenance of a personal website or social media platform
- Home office expenses, such as phone line, internet, furnishings
- Mobile device accessories (i.e., wireless accessories, car chargers, or holsters) Reporting Requirements

### **Claim Process**

A claim for reimbursement must be submitted to Financial Services using the Board's online process, and be accompanied by:

- Original receipt including proof of payment (a credit card statement alone is insufficient)
- Itemized list of purchases
- Business reason for the expenditure
- List of individuals and roles of those in attendance
- Signature of the claimant
- For travel: means, purpose, destination, and distance to and from primary residence.

Expense claims must be submitted within sixty (90) days of incurring the expense, provided that all expense claims (including mileage) incurred within a fiscal year (September 1 to August 31) must be submitted by no later than September 10<sup>th</sup> of the following fiscal year, or the following business day should the 10<sup>th</sup> fall on a weekend. Reimbursement requests for prior year expenses received after that date will be refused, without exception.

### **Community Events, Consultants and Other Expenses**

- ~~Trustees will not be reimbursed for tickets to community events unless a trustee is requested to represent the Board at such community events by the Chair of the Board. Further, if any trustee wishes to be accompanied by a guest (i.e., spouse, friend etc.), the trustee member/guest is responsible for the additional ticket expense.~~
- ~~Trustees who wish to participate in fundraising events such as golf tournaments or walks are responsible for any payment of golf fees or donations, etc.~~
- ~~External consultants and other contractors will not be given or reimbursed for any hospitality, incidental or food expenses, including, but not limited to:~~
  - ~~Meals, snacks, and beverages~~
  - ~~Gratuities~~
  - ~~Laundry or dry cleaning~~
  - ~~Transportation~~
  - ~~Dependent care~~
  - ~~Home office~~
  - ~~Personal telephone calls~~
- ~~Reimbursements for allowable expenses under this Policy and Administrative Procedure can be claimed only when the consultant or contractor's agreement with the Board specifically allows for it.~~
- ~~Appropriate token gifts of appreciation (i.e., Tim Horton's gift card or flowers) for volunteers, valued up to \$30 per person, may be offered in exchange for gratuitous offerings of service or expertise, including community partners engaging Board co-op students. These gifts can only be offered to people who are not engaged in work for the Board (i.e., trustees, employees, contractors). Justification may be requested to support a token gift of appreciation. A meal may be extended for a group of volunteers where it would be more cost effective than providing each volunteer with a token gift of appreciation. Gift cards should be purchased as required, the Board discourages staff from purchasing gift certificates in bulk and keeping them in hand.~~



- ~~• Donations or gifts to external charities, community groups, political parties, and schools will not be reimbursed. Supporting a fundraiser or event for a specific political party or candidate is not an eligible expense.~~

### **Service Equipment**

- ~~• During a trustee's term of office (i.e., every four (4) years), the following equipment will be provided to the trustee:
  - ~~• Cell phone or smart phone, including hands-free device, connection fees, airtime and long-distance charges. Any outside-Canada charges, such as U.S. or international long-distance, texting or roaming charges, will not be reimbursed by the Board.~~
  - ~~• A mobile device (i.e., laptop) and printer/scanner/copier to a value up to \$3,000 maximum per trustee, once every four years.~~
  - ~~• Connection and monthly charges for internet provision.~~~~
- ~~• If traveling outside of Canada, trustees must inform the Manager of Procurement Services to modify cellphone/data plans to ensure roaming charges are mitigated for the period.~~
- ~~• At the end of the trustee's term of office, user fees for cellphone/smart phone and internet access will be terminated.~~
- ~~• The purchase of mobile device accessories (i.e., wireless accessories, car chargers, or holsters) are considered personal use items and will not be reimbursed. Eligible mobile device accessories for Board-issued cell phones or smartphones may be requested through the Manager of Procurement Services. Any charges above the Board's corporate plan (i.e., ring tones, roaming/travel add-on for non-Board use) are also considered personal and are to be reimbursed by the trustee.~~
- ~~• In addition, a trustee is responsible for any unamortized cell phone/smart phone costs should they wish to retain it. Should the trustee not wish to retain the cell phone/smart phone it is returned at the end of their term. Based on exceptional circumstances, the Board of Trustees may waive the requirement for the reimbursement of unamortized costs of a trustee cell phone/smart phone.~~
- ~~• Trustees may opt out of the board corporate cell phone plan provided that they do not have any obligations under the current contract plan with the Board through procurement services, and the monthly submitted cost for cell phone services does not exceed the current board plan cost obtained by procurement services.~~



## REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD POLICY COMMITTEE

Prepared by: Mike McDonald, Director of Education & Secretary  
Presented to: Policy Committee  
Submitted on: June 16, 2025  
Submitted by: Mike McDonald, Director of Education & Secretary

### TRUSTEE CODE OF CONDUCT #100.04 Public Session

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#### **BACKGROUND INFORMATION:**

As part of the Ministerial Governance Review of the Brant Haldimand Norfolk Catholic District School Board (BHNCDSB), initiated in December 2024, a number of recommendations were made by Mr. Aaron Shull, the appointed reviewer, and by the Minister of Education, the Honourable Paul Calandra. A significant portion of these recommendations focused on strengthening and refining the Trustee Code of Conduct.

In his report to the Minister, Mr. Shull emphasized the need to revise the Board's existing Trustee Code of Conduct Policy to:

- Clarify governance roles and responsibilities;
- Promote a culture of professionalism and mutual respect among trustees;
- Align Board practices with provincial standards and legislative expectations.

In response, the Board has undertaken a comprehensive review and update of the Trustee Code of Conduct. The revisions address both the specific recommendations of the reviewer and the broader expectations conveyed by the Ministry.

#### **Summary of Key Changes to the Trustee Code of Conduct**

##### **(a) Terminology Consistency**

While the Trustee Code of Conduct functions as a policy of the Board, the revised document consistently refers to it as a "Code" rather than a "Policy." This change brings the document into alignment with the language used in the *Education Act* and its supporting regulations.

##### **(b) Integration of Legislative Requirements**

Provisions mandated under Ontario Regulation 312/24 and Ontario Regulation 306/24 have been fully incorporated. These additions significantly expand the scope and specificity of the Code, reflecting a comprehensive legislative framework for trustee behavior and responsibilities.

##### **(c) Realignment of Attendance Provisions**

Content previously included in the Trustee Code of Conduct regarding trustee attendance (as per *Regulation 463/97*) has been removed. This subject matter will be addressed in a separate standalone policy, scheduled for implementation prior to the beginning of the 2025–2026 school year.

##### **(d) Ministry-Directed Enhancements**

In accordance with Ministry directed recommendations, the revised Code now includes clear language and mechanisms to prevent and address governance overreach. This reinforces appropriate trustee conduct in relation to operational and administrative boundaries.

(e) Enhanced Enforcement Framework

Provisions related to enforcement and complaint resolution have been substantially expanded.

The Code now includes:

- Defined procedures for filing and addressing complaints;
- Direction on how complaints will be assessed and resolved;
- Clear consequences for breaches of the Code.

These changes support procedural fairness, transparency, and consistency in the application of the Code of Conduct.

**DEVELOPMENTS:**

Due to the substantial expansion and restructuring of the Code, its format has been updated to improve clarity, logical flow, and accessibility.

Given the extent of these changes, a strikeout or comparison version of the document is not being provided, as it would be excessively complex and difficult to interpret. However, for reference and transparency, a copy of the previous version of the Trustee Code of Conduct has been included as an appendix to this report.

**RECOMMENDATION:**

THAT the Policy Committee recommends that the Committee of the Whole refers the Trustee Code of Conduct Policy and Administrative Procedure 1 Work#100.04 to the Brant Haldimand Norfolk Catholic District School Board for approval.



## Trustees' Code of Conduct #100.04

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<b>Adopted:</b>	July 4, 2022
<b>Last Reviewed/Revised:</b>	June 2025
<b>Responsibility:</b>	Human Resources Services
<b>Next Scheduled Review:</b>	September 2028

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### POLICY STATEMENT

The Brant Haldimand Norfolk Catholic District School Board ("the **Board**" or "**BHNCDSB**") is committed to effective, accountable, and transparent governance. Trustees shall therefore conduct themselves in a manner which is in keeping with the trust that has been placed in them as public officials.

It is the expectation of the community the Board serves, that Trustees will promote and model the Catholic values and beliefs of the Board, and the Catholic Church. When acting or holding themselves out as a board member, a Trustee shall conduct themselves in a manner that recognizes and affirms that Catholic schools are an expression of Catholic Church teachings, and they shall model in word and deed their commitment to the teachings of the Church.

This Code of Conduct is intended to support effective governance and leadership, and each Trustee's commitment to excellence in Catholic education.

### APPLICATION AND SCOPE

This Code of Conduct (the "**Code**") applies to all municipally elected Trustees, and governs their conduct while acting, or holding themselves out as acting, as a Trustee of the Board.

Student Trustees are not subject to the Code but are encouraged to be guided by it in their conduct while in office.

### CODE OF CONDUCT REQUIREMENTS

BHNCDSB Trustees shall comply with applicable legislation, Board policies, procedures and By-law, Ministry of Education directives and guidelines, the Board's Statement of Board Values and Responsibilities, and this Code of Conduct.

Trustees shall:

- a. Act in the best interests of the BHNCDSB;
- b. Foster and exemplify the values of inclusion, integrity, respect, reconciliation, and justice;
- c. Conduct the affairs of the Board of Trustees in a spirit of collaboration, openness, and compassion;
- d. Uphold the declaration and oath or affirmation taken when assuming the office of Trustee.
- e. Adhere to the Board of Trustee's duty to meet in public, unless an exception under Section 207(2) of the *Education Act* applies;
- f. Act with decorum and show respect for other Trustees, the Director of Education, staff, members of the BHNCDSB community, and the public;

- g. Keep in strict confidence information obtained or made available to a Trustee by virtue of their office, which a Trustee knows, or ought to know, is confidential to the Board, except as required by law to disclose;
- h. Comply with all statutes and regulations, including but not limited to the *Education Act*, the *Ontario Human Rights Code*, the *Municipal Conflict of Interest Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, and the *Occupational Health and Safety Act*;
- i. Focus on the board's strategic plan and policies of the Board, and entrust the day-to-day management of the Board to its staff, through the Director of Education;
- j. Adhere to the Board's policies regarding communications and acceptable use of technology, demonstrating professionalism in communications and online interactions;
- k. When acting or holding oneself out as a board member, treat persons equally without discrimination based on a person's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability;
- l. Comply with attendance requirements as outlined in the *Education Act* and Regulation 463/97;
- m. Comply with the Board's responsibilities with respect to privacy and the collection, use, disclosure and storage of personal information, as outlined in the *Municipal Freedom of Information and Protection of Privacy Act*, and decisions of the Information and Privacy Commissioner;
- n. Adhere to the BHNCD SB Trustee Conflict of Interest Policy SBG 100.05.P;
- o. Report any inquiries or communications regarding the procurement of goods and services and the awarding of contracts to the Director of Education, and refrain from any communications or participation in the procurement process;
- p. publicly uphold resolutions approved by the Board; and
- q. Adhere to the requirements of Section 218.1 of the *Education Act* setting out the duties of individual Trustees.

Trustees shall not:

- a. Make disparaging or offensive remarks regarding the Board, staff, students, or fellow Trustees;
- b. use or permit the use of board resources for any purpose other than the business of the Board;
- c. use information available to Trustees in a manner that would be detrimental to the interests of the BHNCD SB or for the purpose of personal gain or for the gain of the member's parent, spouse, or child;
- d. act as a spokesperson to the public on behalf of the board unless authorized to do so by resolution of the Board;
- e. exercise influence, or attempt to exercise influence, in order to gain or advance the interests of any individual or group involved in a procurement process;
- f. accept a gift from any person, group or entity that has dealings with the board if a reasonable person might conclude that the gift could influence the member when performing their duties unless,
  - i. the gift is of nominal value,
  - ii. the gift is given as an expression of courtesy or hospitality, and
  - iii. accepting the gift is reasonable in the circumstances.
- g. attempt to assert individual authority, over Board staff, volunteers, students, or other Trustees;
- h. give notice of an alleged breach of the Code of Conduct that is frivolous, vexatious, or brought forward in bad faith;
- i. engage in reprisal (or threatening reprisal) against a person who gives notice of an alleged breach of the code of conduct or provides information about an alleged breach to an integrity commissioner appointed to investigate the alleged breach;

- j. engage in any behaviour which would constitute governance overreach, which includes when a Trustee:
  - i. Interferes with day-to-day operational matters;
  - ii. Attempts to individually direct staff;
  - iii. Attempts to exercise individual authority in any manner not approved by resolution of the Board;
  - iv. Engages in activities not related to governance; or
  - v. Exceeds the statutory authority of a Trustee, as described in Section 169.1 of the *Education Act*.

Any person may submit a complaint of governance overreach. If the Chair, or where pertaining to the Chair by the Vice Chair, in consultation with the Director, determines that the complaint is not frivolous, vexatious, or made in bad faith, the complaint will be subject to the enforcement provisions below, as if it had been submitted by a Trustee.

## CODE OF CONDUCT ENFORCEMENT PROCESS

### Report of Alleged Breach

A Trustee who has reasonable grounds to believe that a Trustee of the Board has breached the Board's Code of Conduct, and wishes to seek redress of the breach, shall notify the following persons in writing of their complaint:

- a. the Chair of the Board; or
- b. the Vice Chair of the Board, if the notice is related to the conduct of the Chair;
- c. another Trustee of the Board, who is neither the complainant nor the subject of the complaint, if the notice relates to both the conduct of the Chair and the Vice-Chair.

The Trustee who has given notice of an alleged breach of the Board's Code of Conduct (hereinafter the "**Complainant**") shall provide a copy of the notice to the Director of Education.

The person to whom the notice is given shall immediately provide a copy of the written notice to the Trustee whose conduct is the subject of the alleged breach (hereinafter the "**Respondent**") and the Board of Trustees.

The written notice of a breach of the Code shall include:

- a. the name and contact information of the Complainant
- b. the name and contact information of the Respondent;
- c. the date of the alleged breach;
- d. a description of the conduct alleged to have constituted a breach;
- e. the provision of the Code that was allegedly breached;
- f. the date on which the Trustee alleging the breach first knew that the alleged breach occurred;
- g. the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach.

Notice of a complaint lacking any of these required elements will be returned and will not be treated as having been submitted to the Board.

A complaint of an allegation of a breach of the Code should generally be made within 60 days after the alleged breach occurred or was discovered, whichever is later.

### Informal Resolution

In the interests of the Board, and consistent with principles of good governance, the Complainant and

Respondent are strongly encouraged to pursue an informal and collaborative resolution process.

The informal resolution process shall be rooted in reconciliation, dignity, and subsidiarity, aligned with Catholic teachings on conflict resolution and community, and respectful of Trustees' individual conscience, while ensuring unity of purpose.

An informal resolution process will be particularly appropriate where the complaint involves a contravention of the Code of Conduct which may be characterized as trivial, committed through inadvertence, or having arisen from an error in judgment made in good faith.

If both parties agree, the Board Chair or Vice-Chair, or another Trustee, may be invited by to assist with facilitating the informal resolution process.

Alternatively, or if the complaint involves the Chair or Vice Chair, either party may request an external mediator, whose appointment shall be at the discretion of the Director of Education.

Resolution may include a verbal or written agreement to engage in professional development, an apology, a commitment to review board policies, By-law and/or Code of Conduct, or other measures as may be agreed upon by the parties.

The Board of Trustees will be advised if a complaint has been resolved and if the parties have agreed upon any remedial measures.

If the complaint is not resolved within twenty (20) business days after the Respondent received notice of the Complaint, the person to whom the notification of the breach was given shall refer the complaint to an Integrity Commissioner.

### **Appointment of Integrity Commissioner**

If a roster of Integrity Commissioners has been created by the Minister of Education, the Board shall appoint an Integrity Commissioner who shall be from the roster of Integrity Commissioners.

If a roster of Integrity Commissioners has not been created by the Minister of Education, the Chair (or Vice-Chair or other Trustee, as the case may be), in consultation with the Director of Education, shall recommend for appointment an external independent person who has the qualifications set out in Regulation 306/24 *Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct*.

In selecting an Integrity Commissioner, the Board shall take into account experience, availability, and cost.

### **Investigation**

The Integrity Commissioner appointed by the Board shall commence an investigation into the alleged breach of the Code of Conduct no later than 14 days after being appointed by the Board, provided that they may refuse to conduct an investigation if:

- a. the complaint was submitted more than sixty (60) days after the later of the date that the alleged breach occurred, or was discovered, unless the Integrity Commissioner is satisfied that the delay was in good faith and no substantial prejudice will result to any person affected by the delay; or
- b. in the opinion of the Integrity Commissioner, the complaint was made in bad faith, or is frivolous or vexatious,

A breach is deemed to have been discovered on the earlier of:

- a. The day on which the Trustee notifying the Board first knew that the breach had occurred; and
- b. The day on which a reasonable person with the abilities and in the circumstances of the Trustee notifying the Board ought to have known of the occurrence.

If a breach relates to a series of incidents, the 60-day period above runs from the day the last incident in the series occurred or was discovered.

The decision of the Integrity Commissioner to refuse to conduct an investigation is final.

The Integrity Commissioner may define the scope of the investigation, and in the course of conducting their investigation, may:

- a. require the production of any records that may in any way relate to the investigation;
- b. examine and copy any records required under paragraph (a) above; and
- c. require any officer of the Board or any other person to appear before them and give evidence, an oath or affirmation, relating to the investigation.

The Trustee alleged to have breached the Code shall be provided with the opportunity to respond to the allegations, as well as a right of reply, where appropriate. The Integrity Commissioner shall determine this, the timelines, and form of such a response.

Section 33 of the *Public Inquiries Act, 2009* applies to an investigation.

### **Integrity Commissioner's Decision**

The Integrity Commissioner shall make any determination with respect to a complaint of alleged breach of the Code no later than 90 days after commencing the investigation, or within such other time period as may be prescribed by regulation, unless the Integrity Commissioner notifies the Board and the Respondent that an extension is necessary and of the reasons for the extension.

### **Sanctions**

If the Integrity Commissioner determines, following an investigation, that the Respondent Trustee has breached the Code, the Integrity Commissioner may impose one or more of the following sanctions:

- a. Censure the Trustee;
- b. Requiring the Board to reduce the Trustee's honorarium by an amount not exceeding the amount prescribed in Regulation 357/06 *Honoraria for Board Members* which currently is 25% of the Trustees combined base and enrollment amount for the year of the term of office in which the breach occurred;
- c. Barring the Trustee from attending all or part of one or more meetings of the Board or one or more meetings of a committee of the Board, for the period of time specified by the Integrity Commissioner up to a maximum of 90 days or the balance of the Trustee's term of office, whichever is less;
- d. Barring the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Integrity Commissioner, up to a maximum of 90 days or the balance of the Trustee's term of office, whichever is less;
- e. Barring the Trustee from becoming the chair or vice-chair of the Board or of any committee of the Board, or removing the Trustee from any other positions;
- f. Barring the Trustee from exercising the privileges of a Trustee or acting as a Board representative, or removing the Trustee from a position the Trustee holds as a Board representative;
- g. Subject to any other limits set out in the above paragraphs (a) to (f) any other sanction that, in the opinion of the Integrity Commissioner, is reasonable and appropriate in the circumstances;
- h. Subject to any other limits set out in the above paragraphs (a) to (f) any other sanction that, in the opinion of the Integrity Commissioner, would promote compliance with the Board's Code.

The imposition of a sanction barring a Trustee from attending all or part of one meeting of the Board shall be deemed, for the purpose of clause 228(1)(b) of the *Education Act* to be authorization for the Trustee to be absent from the meeting.

Any Trustee who is barred from attending all or part of the meeting of the Board or a meeting of a committee of the Board is not entitled to receive any materials that relate to that meeting or that are part of the meeting and that are not available to members of the public.

The Integrity Commissioner shall provide the Respondent Trustee and the Board written notice of a determination that the Respondent has or has not breached the Code, and of any sanctions imposed. The written notice must include:

- a. The reasons for the determination;
- b. The reasons for any sanctions; and
- c. Information about the right to appeal

## **Appeal**

Either the Board or the Respondent may appeal the Integrity Commissioner's decision, the sanctions imposed, or both. The Board and the Trustee shall be parties to the appeal.

The Respondent shall not vote on the Board resolution to determine whether the Board will appeal the Integrity Commissioner's decisions on breach or sanctions.

The Appealing party shall give written notice of the appeal to the other party and the Deputy Minister of Education no later than 15 business days after receiving written notice of the Integrity Commissioner's determination.

The appeal shall be heard by a panel of three Integrity Commissioners appointed by the Deputy Minister of Education or their delegate, by no later than 15 business days after the Deputy Minister or delegate receives the notice of appeal. The panel shall not include the Integrity Commissioner whose determination is the subject of the appeal.

The Appeal Panel may,

- a. Define or narrow the scope of the appeal;
- b. Limit the length of submissions from the parties;
- c. Make interim decisions and orders; and
- d. On its own motion, and without holding a hearing, dismiss an appeal as frivolous or vexatious or commenced in bad faith.

The chair of the Appeal Panel shall notify the parties of any decisions made by the panel with respect to the foregoing.

Appeals shall be held in writing, as follows:

- a. The appellant shall provide written submissions to the Appeal Panel and the respondent no later than twenty (20) business days after receiving notice that the Panel has been appointed.
- b. The respondent shall provide written submissions to the Appeal Panel and the appellant no later than twenty (20) business days after receiving the appellant's submissions.
- c. The appellant shall provide their written reply to the respondent's submissions no later than ten (10) business days after receiving the respondent's submissions.
- d. The chair of the Appeal Panel may extend any of the above timelines at the written request of a party in order to provide for the fair, just and expeditious resolution of the appeal.
- e. A decision to extend a timeline shall be provided to the parties in writing and a copy of the decision shall be provided to the Deputy Minister.



## Appeal Decision

The panel shall provide its decision and its reasons, including any dissent, to the parties in writing no later than 30 business days after receiving the Respondent's submission.

The panel shall provide a copy of the decision, reasons and dissent to the Deputy Minister of Education.

If the panel overturns the determination as to whether there is a breach of the Code made by the Integrity Commissioner, any sanction imposed by the Integrity Commissioner is revoked.

If the panel upholds the determination made by the Integrity Commissioner, the panel shall, within 30 business days after receiving the Respondent's submissions on the appeal, uphold, vary or overturn the sanction.

If a sanction is varied or overturned, the variation or overturning shall be deemed to be effective as of the date of the original determination made by the Integrity Commissioner.

The decision of the panel respecting the determination of the Integrity Commissioner is final.

## Public Records

A board shall keep records and publish information on its website regarding:

- a. any matter referred to an Integrity Commissioner for investigation and determination;
- b. any decision of the Integrity Commissioner to refuse to commence an investigation under *Refusal to Commence Investigation* above;
- c. any determination of an Integrity Commissioner that a Trustee has or has not breached the Code and any sanction(s) imposed; and
- d. a determination by a panel upholding or overturning an Integrity Commissioner's determination including any variation of a sanction.

Where the alleged breach involves any of the matters described in clauses 207(2)(a) to (e) of the *Education Act*, the Board shall limit publication to information that may be made public.

## Code of Conduct Review

The board shall periodically review its code of conduct for its compliance with the *Education Act* and Regulations made under the Act, and shall pass a board resolution setting out the required changes, or if no changes are required, confirming the code of conduct.

The first review shall take place no later than May 15, 2027.

Each subsequent review shall be completed in the fourth year following the previous review and no later than May 15 in that year.

If one or more changes are required, the board shall update its code of conduct to reflect the changes by no later than August 31 in the year of the review.

## Publication

The Trustee Code of Conduct shall be made publicly available on the Board's website. The Board shall indicate the effective date of every change it makes to its Code of Conduct, other than changes of a typographical or similar nature. The Board shall maintain an archive of all previous versions of its Code of Conduct, indicating the period during which each version applied, and shall ensure that the versions are publicly accessible.

## REFERENCES:

- Education Act
- O. Reg. 312/24 Members of School Boards Code of Conduct
- O. Reg. 463/97: Electronic Meetings and Meeting Attendance
- O. Reg. 357/06: Honoraria for Board Members
- O. Reg. 306/24: Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct
- Ontario Human Rights Code
- Municipal Conflict of Interest Act
- Municipal Freedom of Information and Protection of Privacy Act
- Occupational Health and Safety Act
- BHNCD SB Board By-laws
- 100.01.P Board Governance
- 100.05.P Trustee Conflict of Interest
- 100.06.P Trustee Honoraria
- 100.07.P Student Trustee
- 100.08.P Trustee Communication
- 100.10.P Trustee Expenses



## Trustees' Code of Conduct #100.04

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<b>Adopted:</b>	July 4, 2022
<b>Last Reviewed/Revised:</b>	August 28, 2024
<b>Responsibility:</b>	Human Resources Services
<b>Next Scheduled Review:</b>	September 2028

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### POLICY STATEMENT

The Brant Haldimand Norfolk Catholic District School Board ("the Board") is committed to effective, accountable, and transparent governance. It is the expectation of the Board that trustees will promote and model the Catholic values and beliefs of the Board and the Catholic Church.

Trustees are elected to their positions by the Catholic ratepayers and as such should conduct themselves in a manner which is in keeping with generally accepted Catholic societal behaviour and in keeping with their responsibilities to an elected office in adherence to O. Reg. 312/24 and other applicable legislation.

### APPLICATION AND SCOPE

This policy applies to all trustees elected to the BHNCDSB. The policy ensures trustees carry out their elected duties, responsibilities, and school board governance while following a code of behavior which is in agreement with the traditions of Catholic teachings, and beliefs and values of the of the Church and School Board. The code of conduct is intended to support effective governance and leadership so that boards remain focused on the successful delivery of provincial education priorities.

The Catholic Trustees' Code of Conduct: A Statement of Board Values and the Responsibilities of the Office of the Trustees of the Brant Haldimand Norfolk Catholic District School Board.

#### 1.0 Trustees will, at all times:

- 1.1 act in accordance with and in furtherance of the Board's mission statement;
- 1.2 encourage school communities to foster and exemplify the values of inclusion, integrity, respect, reconciliation, love, and justice;
- 1.3 abide by the statutory declaration made when first becoming a trustee to the effect that:  
"I will truly, faithfully, impartially and to the best of my ability execute the office of board member..." [Education Act, section 209(1)];
- 1.4 carry out the functions of a trustee in a public manner in meetings of the Board save for in-camera sessions authorized by the Education Act [section 207 (1) and (2)] and by the By-laws of the Board;
- 1.5 keep in strict confidence, information prepared for, discussed, and communicated in any manner which was, is, or will be dealt with in-camera as authorized by the Education Act and by the Board's By-laws;
- 1.6 comply with all statutes and regulations applicable to the trustees, the Board, and its operations including the Education Act, the Ontario Human Rights Code, the Municipal Conflict of Interest Act, the Municipal Freedom of Information and Protection of Privacy Act, and the Occupational Health and Safety Act;
- 1.7 conduct themselves in compliance with the Board's By-laws and with any standards of behaviour the Board adopts respecting the conduct required of its employees;
- 1.8 accept, as a matter of law, that the Board can only act collectively as a unit and that orders or pronouncements of individual Board members are of no force and effect; and,
- 1.9 be physically present for every regular meeting of the board and every meeting of the committee of the whole in each year of the term of office, unless one of the exceptions to the requirement for in-person attendance applies.

## **2.0 Trustees will not:**

- 2.1 use or permit the use of board resources for any purpose other than the business of the board;
- 2.2 disclose confidential information obtained or made available to them in their role as a board member except as authorized by law or by the board or use confidential information in a manner that would be detrimental to the interests of the board or for the purpose of personal gain or for the gain of the member's parent, spouse, or child;
- 2.3 give notice of an alleged breach of the code of conduct that is frivolous, vexatious, or brought forward in bad faith;
- 2.4 engage in reprisal (or threatening reprisal) against a person who gives notice of an alleged breach of the code of conduct or provides information about an alleged breach to an integrity commissioner appointed to investigate; and,
- 2.5 subject to certain prescribed exemptions, accepting a gift from any person, group or entity that has dealings with the board, if a reasonable person might conclude that the gift could influence the member when performing their duties.

## **REFERENCES:**

- Education Act
- Better Schools and Student Outcomes Act, 2023
- O. Reg. 312/24 Members of School Boards Code of Conduct
- O. Reg. 463/97: Electronic Meetings and Meeting Attendance
- O. Reg. 357/06: Honoraria for Board Members
- O. Reg. 306/24: Integrity Commissioners and Process for Alleged Breaches of the Code of Conduct
- Ontario Human Rights Code
- Municipal Conflict of Interest Act
- Municipal Freedom of Information and Protection of Privacy Act
- Occupational Health and Safety Act
- BHNCD SB Board By-laws
- [100.01.P Board Governance](#)
- [100.05.P Trustee Conflict of Interest](#)
- [100.06.P Trustee Honoraria](#)
- [100.07.P Student Trustee](#)
- [100.08.P Trustee Communication](#)
- [100.09.P Access to Legal Counsel](#)
- [100.10.P Trustee Expenses](#)

## **GLOSSARY OF KEY TERMS**

N/A

## **FORMS:**

N/A

## **APPENDICES:**

N/A

## **DEFINITIONS:**

## **ADMINISTRATIVE PROCEDURES**

### **1.0 Board Member Obligations**

#### **1.1 School Board Trustees will:**

- 1.1.1** comply with the Board's Code of Conduct and Statement of Board Values and Responsibilities;
- 1.1.2** comply with applicable Board By-laws, resolutions, policies, and procedures; and,
- 1.1.3** treat all persons equally and without discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability when they are acting, or holding themselves out, as a board member.

## **2.0 Electronic Meetings and Meeting Attendance**

- 2.1** Effective September 1, 2025, all trustees will be required to be physically present for every regular meeting of the board and every meeting of the committee of the whole in each year of the term of office, unless one of the exceptions to the requirement for in-person attendance applies. Failure to attend in person as required would result in the trustee's seat being vacated pursuant to clause 228(1)(e) of the Education Act.
- 2.2** Trustees are eligible to attend a regular Board Meeting or Committee of the Whole Meeting electronically/virtually where:
  - 2.2.1** the distance from the trustee's primary residence to the meeting location is 125 kilometers or more;
  - 2.2.2** weather conditions do not allow the trustee to travel to the meeting location safely;
  - 2.2.3** the trustee cannot be physically present at a meeting due to health-related issues;
  - 2.2.4** the trustee has a disability that makes attending meetings in-person more challenging; or
  - 2.2.5** the trustee is unable to attend in person due to family responsibilities.

## **3.0 Mandatory Timelines for Review**

- 3.1** The board will periodically review its code of conduct as set out in regulation.
- 3.2** Any changes are to be set out in a board resolution and must be implemented by no later than August 31 of the review year.

## **4.0 Public Accessibility**

- 4.1** The Trustee Code of Conduct is publicly available on the Board's website.

## **5.0 Notification of Alleged Breach of a Code of Conduct**

- 5.1** Where a board member alleges that another board member has breached the code of conduct, notification of the breach must be provided to the chair of the board unless it relates to the chair's conduct, in which case the vice-chair must be notified.
- 5.2** If the alleged breach relates to the conduct of the chair and vice-chair, notification must be provided to another member who is not the complainant or the subject of the complaint.
- 5.3** The board member who provides notification of an alleged breach must also provide a copy of the notification to the director of education.
- 5.4** Any notification of an alleged breach of the code of conduct must include:
  - 5.4.1** The name and contact information of the member alleging the breach and the member(s) whose conduct is at issue;
  - 5.4.2** The date of the alleged breach; and,
  - 5.4.3** A description of the alleged breach and the provision of the code of conduct alleged to have been breached.

## **6.0 Referral to an Integrity Commissioner**

- 6.1** If a matter is not resolved within 20 business days after the member who is alleged to have breached the code of conduct is notified, it must be referred to an integrity commissioner, who has the authority to define the scope of the investigation into the breach.
- 6.2** The Board is responsible for paying all fees charged by an appointed integrity commissioner.
- 6.3** Integrity Commissioners will be appointed from a roster of candidates established by the Ministry of Education. In the case where there is no roster available, the Board will appoint an Integrity Commissioner that has the qualifications set out in applicable regulation.

## REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD POLICY COMMITTEE

Prepared by: Mike McDonald, Director of Education & Secretary  
Presented to: Policy Committee  
Submitted on: June 16, 2025  
Submitted by: Mike McDonald, Director of Education & Secretary

### ACCESS TO LEGAL COUNSEL POLICY #100.09 Public Session

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#### **BACKGROUND INFORMATION:**

As part of the Ministerial Governance Review of the Brant Haldimand Norfolk Catholic District School Board (BHNCD SB), conducted in late 2024 and early 2025, a number of recommendations were made by both the appointed reviewer, Mr. Aaron Shull, and the Minister of Education, the Honourable Paul Calandra. These recommendations were aimed at strengthening governance structures, improving transparency, and ensuring consistency with provincial best practices.

Among the recommendations outlined in Mr. Shull's final report were two specific directives related to the use of legal counsel by the Chair of the Board. The first recommendation called for the establishment of clearer protocols governing when and under what circumstances the Chair may consult independent legal counsel. The second emphasized the need to define a consultation process prior to such engagement, ensuring that all legal inquiries initiated on behalf of the Board, align with proper governance procedures and shared accountability.

#### **DEVELOPMENTS:**

It is recommended that the Access to Legal Policy #100.09 be formally rescinded, on the basis that its provisions will be superseded and more appropriately governed within the revised Board By-laws. This allows for a more integrated, contextual approach to legal access, housed within the broader governance framework.

Integrate Revised Protocols into Board By-laws:

To ensure full implementation of the recommendations made in the governance review, new and updated provisions related to legal counsel access—specifically for the Chair of the Board—have been included within the amended Board By-laws. These revisions:

- Articulate that Chair may consult legal counsel in certain circumstances
- Require a consultation process prior to engagement;

#### **RECOMMENDATION:**

THAT the Policy Committee recommends that the Committee of the Whole refers the Access to Legal Counsel Policy #100.09 to the Brant Haldimand Norfolk Catholic District School Board for rescinding.



**Brant Haldimand Norfolk  
Catholic District School Board**

**Policy: Access to Legal Counsel**

		<b>Policy Number:</b>	100.09
<b>Adopted:</b>	October 26, 2004	<b>Former Policy Number:</b>	n/a
<b>Revised:</b>	December 10, 2013	<b>Policy Category:</b>	Board Governance
<b>Subsequent Review Dates:</b>	n/a	<b>Pages:</b>	1

**Policy Statement:**

It is the policy of the Board to seek the advice of legal counsel from time to time on complex matters in a prudent and cost-efficient manner. Advice should be obtained from legal counsel on matters of probable litigation. Legal counsel must be consulted on all real estate transactions. Access to legal counsel must be approved by the Director of Education, the Superintendent of Business, the Chair of the Board, or the Board of Trustees. Matters involving litigation must be reported to the Board.

**Glossary of Key Policy Terms:** N/A

**References:** N/A



## Access to Legal Counsel AP 100.09

**Procedure for:** Director of Education, Superintendent of Business  
Chair of the Board, Board of Trustees

**Adopted:** October 26, 2004

**Submitted by:** Director of Education

**Revised:** December 10, 2013; April 25, 2017

**Category:** Board Governance

### Purpose

The purpose of this Administrative Procedure is to provide direction to the Director of Education, the Superintendent of Business, the Chair of the Board and the Board of Trustees in relation to accessing legal counsel.

### Responsibilities

This Administrative Procedure applies to the Director of Education, the Superintendent of Business, the Chair of the Board and the Board of Trustees.

### Procedures

**1.0** Matters on which legal services should be sought include, but are not limited to:

- Probable or pending litigation
- Labour relations or other human resources issues
- Preparation of certain contracts and agreements
- Real estate transactions
- Other issues involving complex legislation.

**2.0** The use of legal counsel is restricted to matters involving the corporate issues of the Board, or trustees and employees in the performance of their corporate duties. Approval to seek legal counsel is required as follows:

- Matters involving the interests of the Trustees must be approved by the Board of Trustees, but can be initiated at any time at the discretion of the Chair of the Board;
- The Chair of the Board shall have the right to retain independent legal counsel at his/her discretion on all matters related to the Brant Haldimand Norfolk Catholic District School Board, and must inform trustees at the next meeting of the Board.
- School issues, such as attendance, custody, possible litigation involving school personnel, or other matters involving students, must be approved by the Director of Education.
- Real estate, construction, contracts, labour relations and human resources issues must be approved by the Superintendent of Business or by the Director of Education.
- All other matters must be approved by the Director of Education or the Board of Trustees.

**3.0** The Director of Education or the Chair of the Board will determine the appropriate legal counsel to consult depending on the matter(s) involved.

**4.0** Invoices from law firms will be approved by the Director of Education, the Superintendent of Business, or the Chair of the Board, as appropriate.





- 5.0** Copies of invoices for legal services submitted to the Accounting Department for payment shall not contain personal or confidential information. Employee or labour relations information to support invoices shall be kept in a confidential file by the Manager of Human Resources. Confidential information regarding contracts, real estate transactions and other business issues shall be maintained by the Superintendent of Business. All other confidential information submitted to support invoices shall be maintained in a confidential file by the Director of Education.
- 6.0** The Board will not accept responsibility for legal services obtained by staff who have not obtained approval as required herein. The Superintendent of Business & Treasurer may advise law firms to refrain from undertaking legal services that have not been properly authorized.
- 7.0** The Board will be kept apprised of matters that require the Chair to seek legal advice. The Board will receive bi-annual updates on legal matters and related costs.

**Definitions – N/A**

**References – N/A**