



SEVEN OAKS SCHOOL DIVISION

Board Policy #8 Conflict of Interest

Trustees will act at all times in the best interest of the Seven Oaks School Division, fulfilling their responsibilities and obligations as elected officials in a fashion that inspires the confidence and trust in the 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, *The Public Schools Act*, and 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 or 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, employment, 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.

Date Approved:

Date Reviewed:

Date Revised:

Page
1 of 2



SEVEN OAKS
SCHOOL DIVISION
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- Where any trustee is aware of a real, potential, or perceived conflict of interest not declared by another trustee, they have 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.

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 remain absent from any discussion of the issue and the subsequent actions considered by the Board. 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.

Date Approved:

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Date Revised:

Page
2 of 2