



Policy: Board Member - Conflict of Interest

Policy Number: BC

Policy Type: School Board Governance and Operations

Background

The Public Schools Act Section 36-39 confirms that School Division Board members must minimize any potential conflict of interest situation.

Policy

HSD supports the rights of its Board members to be involved in community projects and activities as citizens of the community. This is balanced with the recognition that Board members also participate in Divisional activities making decisions affecting students, employees and the public.

A conflict of interest exists when a board member's financial interests, or those of family members, interfere or compromise the board member's ability to act in the best interests of the school division and the constituents it serves. This conflict can be real, potential or perceived.

The Board expects all Board members to conduct themselves in accordance with 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.

Board members shall familiarize themselves with the conflict of interest provisions of The Public Schools Act (Section 36-39), its regulations, and any guidelines approved by the Board, and be responsible to fulfill any obligations therein.

Guidelines

The following situations may place a Board Member in a conflict of interest situation:

- a) Soliciting or accepting gifts, considerations, prizes or hospitality from any person, form or organization with whom HSD does business.
- b) Using their association with HSD or the advantage of privileged information for the financial or other gain of a third party.
- c) Seeking to obtain preferential treatment from the HSD for a relative, friend or organization in which the Board member, a relative or any other person has a financial interest.

Board Member Responsibilities

- a. A Board Member shall recuse themselves from any discussion, decision, debate or vote on any matter in respect of which they would be in a conflict of interest or may be perceived to be in a conflict of interest.
- b. No Board member may communicate private information obtained in their position that is not available to the public or that is confidential.

The onus is on the Board member to anticipate and to avoid conflicts of interest, including situations that could give the appearance of being in conflict with HSD's interests.

Further guidelines with respect to relationship conflicts may be found in policy BF – Board Member Code of Conduct.

Date Policy Created:	December 10, 1995
Date of last Review:	June 27, 2024
Reference(s):	The Public Schools Act <ul style="list-style-type: none">○ Part 7 - Section 35 Trustee Code of Conduct○ Part 7 - Section 36-39 Conflict of Interest Policy BF – Board Member Code of Conduct Policy BF-A – Address a Breach of Trustee Code of Conflict
Related Forms:	