

Education Act
ONTARIO REGULATION 312/24
MEMBERS OF SCHOOL BOARDS - CODE OF CONDUCT

Consolidation Period: From July 29, 2024 to the [e-Laws currency date](#).

Last amendment: 312/24.

Legislative History: 312/24.

This is the English version of a bilingual regulation.

Obligations

1. A code of conduct mentioned in subsection 218.2 (1) of the Act shall contain the following obligations:

1. A board member shall comply with the board's code of conduct and any applicable board by-law, resolution, policy or procedure.
2. When acting or holding themselves out as a board member, the member shall conduct themselves in a manner that would not discredit or compromise the integrity of the board.
3. When acting or holding themselves out as a board member, the member shall 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.

Prohibitions

2. (1) A code of conduct mentioned in subsection 218.2 (1) of the Act shall contain the following prohibitions:

1. No board member shall use or permit the use of board resources for any purpose other than the business of the board.
2. No board member shall 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.
3. No board member shall use information described in paragraph 2 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.
4. No board member shall 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.

Note: On the day section 24 of Schedule 2 to the *Better Schools and Student Outcomes Act, 2023* comes into force, subsection 2 (1) of the Regulation is amended by adding the following paragraphs: (See: O. Reg. 312/24, s. 6)

- 4.1 No board member shall give notice of an alleged breach of the code of conduct under subsection 218.3 (1) of the Act if the allegation is frivolous or vexatious or the notice is given in bad faith.
- 4.2 No board member shall engage in reprisal or the threat of reprisal against,
 - i. a member who gave notice of an alleged breach of the code of conduct under subsection 218.3 (1) of the Act, or

ii. any person who provides information about the alleged breach to the integrity commissioner appointed under clause 218.3 (3) (b) of the Act.

5. No board member shall act as a spokesperson to the public on behalf of the board unless authorized to do so under clause 218.4 (e) of the Act.

(2) In this section, “child”, “parent” and “spouse” have the same meaning as in section 1 of the *Municipal Conflict of Interest Act*.

Additional content

3. A board’s code of conduct may contain additional provisions if the provisions do not conflict with any of the required provisions set out in sections 1 and 2.

Review

4. (1) Every board shall periodically review its code of conduct for, among other things, compliance with this Regulation, and shall pass a board resolution setting out the required changes, or if no changes are required, confirming the code of conduct.

(2) The first review shall be completed within 30 days after this Regulation comes into force.

(3) The second review shall be completed no later than May 15, 2027.

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

(5) If one or more changes are set out in a board resolution under subsection (1), the board shall update its code of conduct to reflect the changes no later than August 31 in the year of the review.

Publicly available

5. (1) Every board shall make its code of conduct publicly available on its website.

(2) A board shall indicate on its website the effective date of every change it makes to its code of conduct, other than changes of a typographical or similar nature.

(3) A 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.

6. OMITTED (PROVIDES FOR AMENDMENTS TO THIS REGULATION).

7. OMITTED (REVOKES OTHER REGULATIONS).

8. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).