

GENERAL INFORMATION

Student Trustees

Appendix B

MINISTRY OF EDUCATION

STUDENT TRUSTEES: ATTENDANCE AND CONFLICT OF INTEREST

GUIDELINES

PURPOSE

The purpose of this guideline is to address the issues of attendance and conflicts of interest in relation to student trustees. This guideline was created with the intention of having the same principles that apply to board members under the *Municipal Conflict of Interest Act* and the *Education Act* apply to student trustees.

Under the *Education Act* student trustees are not considered members of the board. As a result, they are not covered by the *Municipal Conflict of Interest Act* and are not subject to the same conflict of interest and attendance criteria that apply to board members.

These guidelines are established by the Minister of Education under the authority of paragraph 8(1)3.5 of the *Education Act* and are effective upon release.

ATTENDANCE

A student trustee must resign from their position if they are absent from three consecutive regular meetings of the board without being authorized by a resolution of the board. Authorizations by resolution must be provided to student trustees in the same manner as they are to board members and must be recorded in the meeting minutes.

Student trustees are considered present at a meeting in which they participate through teleconferencing, videoconferencing or other electronic means.

CONFLICTS OF INTEREST

A conflict of interest arises when a student trustee (or a student trustee's parent, spouse or child) has a direct or indirect financial interest in a matter being discussed at a board or committee meeting.

An indirect financial interest arises when a student trustee (or a student trustee's parent, spouse or child): 1) owns shares or is a senior officer in a privately-held company, 2) has a controlling interest or is a senior officer of a publicly-held corporation, or 3) is the member of a body that has a financial interest in the matter being discussed at a board or committee meeting.

For there to be a conflict, the financial interest must be of such a nature that it could reasonably be regarded as likely to exert influence over the student trustee.

When a student trustee realizes he or she is in a conflict of interest, the student trustee must declare this conflict to the board or to the committee. The declaration must be recorded in the minutes of the meeting.

April 13, 2007

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During discussion of the matter that gives rise to a conflict, the student trustee cannot participate in the discussion, cannot attempt to influence the vote of board members, is not entitled to a recorded vote and cannot suggest a motion.

In the event that there is a conflict of interest at a closed meeting, the student trustee must leave the meeting during the time that the matter giving rise to the conflict is being discussed. When a student trustee leaves for this reason, this must be recorded in the minutes of the meeting.