

BOARD POLICY MANUAL

Type:	Governance Process	Approved:	October 25, 2011
Policy:	GP-16 Handling of Apparent Policy Violations	Revised:	October 19, 2023
		Last Reviewed:	March 21, 2024

The Board as a whole has a responsibility to regularly monitor the performance of the Director and Principal as outlined in the policies on Board Management Delegation. If there is a reasonable appearance of policy violation, even though a particular policy is not scheduled for monitoring, the Board may choose to request a monitoring report at any time. The Board may also use the occasion of a concern to re-evaluate the adequacy of its policy to address the issue raised.

1. Conditions which may trigger a request for monitoring beyond the normal schedule may include:
 - 1.1. Board member has been contacted regarding a complaint by a member of the public. After the board member has followed the procedure for handling complaints (see GP-15, Handling of Operational Complaints), the individual again contacts the board member indicating that the complaint still exists, and in the board member's opinion the incident appears to be a potential policy violation.
 - 1.2. One or more board members receive complaints or become aware of a pattern of similar instances that taken together raise questions of general policy violation.
 - 1.3. A single incident of public complaint is of a nature that regardless of how it is resolved, there is a serious question of policy violation.
2. If any of the above conditions exist:
 - 2.1. The board member shall inform the Chair of the situation.
 - 2.2. The Chair shall request the appropriate Key Employee to provide to the Board his or her interpretation of the policy, rationale for why the interpretation should be considered reasonable, and evidence of policy compliance with reference to the situation(s) in question.
 - 2.3. The Board as a whole shall determine whether the Key Employee's interpretation falls within "any reasonable interpretation" of the policy.
 - 2.4. If the Key Employee's interpretation falls within "any reasonable interpretation," and there is evidence of compliance with that interpretation, the matter shall be dropped at the Board level. (The Key Employee will handle the issue directly with the complainant.)
 - 2.5. If the Key Employee's interpretation falls outside of "any reasonable interpretation," or there is a clear violation of a reasonable interpretation, the Board shall determine the degree of seriousness of the issue and deal with the Key Employee regarding performance.
3. If the incident(s) in question do not appear to be a potential violation of policy:
 - 3.1. Board member should consider if he or she believes the policy should be amended to prevent a future occurrence of a similar situation.
 - 3.2. If the board member considers that a policy amendment should be made, the board member should ask the Chair to put the item on the next agenda.

3.3. The Board as a whole then shall debate whether or not the policy should be amended, making the reported event explicitly unacceptable in the future.