



Commission scolaire English-Montréal  
English Montreal School Board

**CODE OF ETHICS**

**CODE: HR-11.1**

**Origin:** Human Resources Department – Secretariat General

**Authority:** Resolution # 25-04-29-15

**Reference(s):** 258.0.1 of the *Education Act* (chapter I-13.3)

**Decree #:** 227-2025

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**English Montreal School Board**

(Hereinafter “EMSB”)

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**Effective Date:** April 29, 2025

## Context

The *Act to reinforce the protection of students, including with regard to acts of sexual violence* (2024, chapter 9) introduced a new obligation, which came into force on March 5, 2025, under section 258.0.1 of the *Education Act* (c. I-13.3)<sup>1</sup> for school service centres and school boards and under section 54.0.1 of the *Act respecting private education* (c. E-9.1)<sup>2</sup> for private educational institutions (the three types of Educational Organizations). These educational organizations are now obliged to adopt, in the form prescribed by the Minister, a Code of Ethics applicable to their staff members and to any person required to work with minor students or students with special needs or be in contact with them.

Every Educational Organization must adopt a Code of Ethics that includes the content of the different sections provided for in this document. These sections cannot be deleted or amended either in whole or in part.

In addition to these prescribed sections, an Educational Organization may include any other element deemed relevant to its specific situation.

## Preamble

Pursuant to section 258.0.1 of the *Education Act* (c. I-13.3) for a school service centre or school board, the Educational Organization must adopt, in the form prescribed by the Minister, a Code of Ethics applicable to its staff members and to any person required to work with minor students or students with special needs or be in contact with them.

This Code must set out, in particular, the practices and conduct expected of persons required to work with minor students or students with special needs or be in contact with them. In addition, the Code must set out the obligation to report to the Educational Organization without delay any failure to comply with its provisions that could reasonably pose a threat for the physical or psychological safety of the students. The Code must be published on the Educational Organization's website and made otherwise accessible to any person who requests it.

All staff members of the Educational Organization and all persons required to work with minor students or students with special needs or be in contact with them must refer and adhere to this Code of Ethics, which states the ethical principles they must follow and some of the practices and conduct expected of them.

The expected practices and conduct in the Code are not exhaustive, shall not limit the Educational Organization's management rights, and are to be interpreted in a broad and liberal manner. Even if a practice or conduct that is either expected or to be avoided is not included in the code, a staff member or a person required to work with minor or special needs students or be in contact with them shall not be exonerated from the consequences of their inappropriate or improper behaviour.

This Code of Ethics does not replace and shall not limit the scope of any obligation related to the conduct of a staff member or a person required to work with minor or special needs students or be in contact with them provided for in any law, regulation, collective agreement, policy, agreement, contract or any other framework, or in the rules of conduct adopted by a governing board. Also, it does not replace any other rules of professional conduct applicable to a staff member or a person required to work with minor or special needs students or be in contact with them as a result of their membership in a professional order or association.

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<sup>1</sup> "258.0.1. The school service centre or school board must adopt, **in the form prescribed by the Minister**, a Code of Ethics applicable to members of its personnel and to any person required to work with minor or handicapped students or be in contact with them. The Code must set out, in particular, the practices and conduct expected of persons required to work with minor or handicapped students or be in contact with them. In addition, the Code must set out the obligation to report to the school service centre without delay any failure to comply with its provisions that could reasonably pose a threat for the physical or psychological safety of the students. The school service centre shall publish the Code of Ethics on its website and make the Code otherwise accessible to any person who requests it."

<sup>2</sup> "54.0.1. An institution must adopt, **in the form prescribed by the Minister**, a Code of Ethics applicable to members of its personnel and to any person required to work with minor or handicapped students or be in contact with them. The Code must set out, in particular, the practices and conduct expected of persons required to work with minor or handicapped students or be in contact with them. In addition, the Code must set out the obligation to report to the institution without delay any failure to comply with its provisions that could reasonably pose a threat for the physical or psychological safety of the students. The institution shall publish the Code of Ethics on its website and make the Code otherwise accessible to any person who requests it."

## Legal and Regulatory Framework

The Code of Ethics complies with the current legal and regulatory framework, in particular:

- *Canadian Charter of Rights and Freedoms, Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK), 1982, c. 11*
- *Charter of Human Rights and Freedoms (CQLR, c. C-12)*
- *Civil Code of Québec (CQLR, c. CCQ-1991)*
- *Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies (CQLR, c. R-26.2.01)*
- *Education Act (CQLR, c. I-13.3)*
- *Act respecting Access to documents held by public bodies and the Protection of personal information (CQLR, c. A-2.1)*
- *Act respecting contracting by public bodies (CQLR, c. C-65.1)*
- *Act respecting labour standards (CQLR, c. N-1.1)*
- *Act respecting occupational health and safety (CQLR, c. S-2.1)*
- *Youth Protection Act (CQLR, c. P-34.1)*
- *Anti-Corruption Act (CQLR, c. L-6.1)*
- *Act to facilitate the disclosure of wrongdoings relating to public bodies (CQLR, c. D-11.1)*
- Applicable collective agreements
- Applicable EMSB By-Laws & Policies, including EMSB resolution on IHRA definition of antisemitism (#21-05-05-12)
- Applicable rules of professional conduct
- Applicable School Codes of conduct

## Objectives

The objectives of the Code of Ethics are as follows:

- Set guidelines concerning the practices and conduct expected of all of the Educational Organization's staff members and all persons required to work with its minor or special needs students or be in contact with them.
- Promote reflection and accountability in order to encourage critical judgment in decision-making, and foster the development of moral values and professional ethics.
- Help the Educational Organization, its institutions and the education system establish and cultivate a trusting relationship with students, parents, the education community and the general public.

## Scope of Application

The Code of Ethics applies to all staff members of the Educational Organization and to any person required to work with its minor or special needs students or be in contact with them.

## Definitions

Educational Organization	School service centre or school board, and for the purposes of this code, the English Montreal School Board.
Staff member / Member of the Educational Organization's personnel	Member of the Educational Organization's support, management, professional or teaching staff, or any other employee of the Educational Organization, including senior executives.
Person required to work with minor or special needs students or be in contact with them	Person who is not a staff member of the Educational Organization, but who is required to work with its minor or special needs students or be in contact with them in the capacity of, without limitation, a trainee, practicum supervisor, volunteer (including parent volunteers), coach, person in charge of extracurricular activities, or any other person offering services under an agreement or contract.
Minor Student	Student under the age of 18 enrolled in an educational institution, vocational training centre or adult education centre, or any person under the age of 18 receiving appropriate instruction at home as well as services provided by the Educational Organization.
Special Needs Student	Student recognized as being handicapped within the meaning of the <i>Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration</i> (CQLR, c. E-20.1) and who is enrolled in an educational institution, vocational training centre or adult education centre, or any person recognized as such who is receiving appropriate instruction at home as well as services provided by the Educational Organization. The term " <i>Special needs student</i> " is replacing " <i>Handicapped student</i> " in all circumstances except those referring to official documents or legislation.
Rules of Conduct	Code of conduct, operating rules or any other similar framework proposed by the director or principal and approved by the governing board.

## Principles

The Code of Ethics reflects the following principles on which each person's actions and decisions must be based:

- All students, staff members and persons required to work with minor or special needs students or be in contact with them are entitled to personal safety, well-being and freedom, the safeguard of their dignity, honour and reputation, and respect for their privacy.
- Schools must protect and promote the basic rights and freedoms of their staff, students and others working with them, which are guaranteed under the charters of rights and freedoms, and make sure that they are exercised with due regard to the democratic values of Québec society and gender equality.
- In the interest of equal opportunity, every student has the right to quality educational services fostering their overall development, success, and social and workplace integration.
- All persons must be able to study or work in an environment that is healthy, safe, stimulating, and conducive to learning, accomplishment and the achievement of their full potential.
- No form of violence, bullying or harassment will be tolerated at school and must be strongly condemned.
- Adults at school are inspiring and meaningful role models for students as well as authority figures, and their conduct must be exemplary and reflect positive values.
- Schools must convey a vision of educational success in line with students' potential, needs, differences and aspirations, and the values of equality, equity and social justice.

# Expected Practices and Conduct

## 1. Respect, Civility and Kindness

- 1.1. All staff members and all persons required to work with minor or special needs students or be in contact with them must conduct themselves with respect, civility, politeness and courtesy in every circumstance with students, parents, staff members and people with whom they must interact in carrying out their duties, especially when communicating orally or in writing, in order to ensure a quality and fulfilling learning and work environment.

This duty applies in particular when expressing one's reservations or disagreement with a staff member's opinion, or with an orientation or decision of the Educational Organization.

- 1.2. All staff members and all persons required to work with minor or special needs students or be in contact with them must show consideration, empathy and kindness by fostering positive relationships with others, supporting them and adopting an approach based on mutual understanding and dialogue in order to resolve conflicts.
- 1.3. All staff members and all persons required to work with minor or special needs students or be in contact with them must follow and promote the institution's rules of conduct and the related standards of responsible citizenship.

## 2. Justice, Equity and Neutrality

- 2.1. All staff members and all persons required to work with minor or special needs students or be in contact with them must behave in a just and equitable manner, taking each person's needs and differences into account.
- 2.2. All staff members and all persons required to work with minor or special needs students or be in contact with them must offer services without distinction, exclusion or preference based, among other things, on race, colour, sex, gender identity or expression, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.
- 2.3. All staff members and all persons required to work with minor or special needs students or be in contact with them must not promote their own political beliefs and personal or religious convictions, and must be prudent and objective when addressing these topics with students.

## 3. Professionalism

- 3.1. All staff members and all persons required to work with minor or special needs students or be in contact with them must show professionalism, restraint and judgment.
- 3.2. All staff members and all persons required to work with minor or special needs students or be in contact with them must abstain from holding positions or carrying out activities that are incompatible with their duties within the Educational Organization.

### Professional Distance

- 3.3. All staff members and all persons required to work with minor or special needs students or be in contact with them must, inasmuch as they are in a situation of authority, maintain a professional distance from all students, even outside class hours, and must, in particular, avoid:
  - establishing relationships other than professional relationships with students (friendships, intimate or romantic relationships)
  - any situation that could create ambiguity in their relationships with students (accepting an invitation, participating in an activity or event outside a school context)
  - any social media communication with students outside a school context

### **Dress and Appearance**

- 3.4. All staff members and all persons required to work with minor or special needs students or be in contact with them must dress appropriately at work, observe the applicable provisions of the institution's rules of conduct, and exercise critical judgment in their choice of attire and the messages conveyed by it.

This duty applies to work on the premises of the Educational Organization as well as to distance education and activities outside the school setting.

- 3.5. All staff members and all persons required to work with minor or special needs students or be in contact with them must make sure that their use of social media is consistent with the image they must project as a role model, in particular by considering the appropriateness of providing certain types of information (e.g., photos, videos) or by limiting access to them.

### **Drugs and Alcohol**

- 3.6. All staff members and persons required to work with minor or special needs students or be in contact with them must abstain from consuming, providing or serving, at the workplace or when exercising their duties outside the workplace, alcoholic beverages, legal or illegal drugs, or any other substances likely to affect a person's judgment or interfere with the safe performance of their work.

The foregoing does not apply to the consumption of alcoholic beverages permitted by the Educational Organization in exceptional circumstances (e.g., a social gathering).

- 3.7. Staff members and persons required to work with minor or special needs students or be in contact with them must not be present in the workplace, carry out their duties or be in the presence of students if they are impaired by alcohol, a legal or illegal drug, or a substance that could alter their judgment or interfere with the safe performance of their work.

## **4. Health, Safety and Well-Being**

- 4.1. All staff members and all persons required to work with minor or special needs students or be in contact with them must act with prudence, and take the necessary measures to ensure their own health and safety and that of others, especially students.

- 4.2. All staff members and all persons required to work with minor or special needs students or be in contact with them must adopt attitudes and behaviours free of any verbal or physical violence. The following are prohibited in particular:

- aggressive speech, behaviour and gestures
- verbal, written or physical threats
- an aggressive tone of voice (e.g., yelling, screaming)
- degrading, racist, sexist or otherwise inappropriate language
- sexual speech, behaviour and gestures
- any form of bullying or harassment
- disregard for such behaviour or failure to intervene where required

- 4.3. Physical intervention with a student should only be used as a last resort, when the risk assessment points to an emergency situation requiring immediate action aimed solely at ensuring the safety of the student or others.

When it is necessary to restrain a student and the intervention can be planned, it must comply with a protocol based on the [Reference Framework for Control Measures in Schools](#) and be reported to the director or principal without delay.

- 4.4. All staff members and all persons required to work with minor or special needs students or be in contact with them must, when a student or staff member confides in them, be attentive to any signs of distress and refer the person to the appropriate resource if needed (e.g., the Director of Youth Protection [DYP]).

- 4.5. All staff members and all persons required to work with minor or special needs students or be in contact with them must contribute to the implementation of the anti-bullying and anti-violence plan, and make sure that no students at the school to which they are assigned are victims of bullying or violence.
- 4.6. All staff members and all persons required to work with minor or special needs students or be in contact with them and who, in carrying out their duties, reasonably believe that a teacher committed a serious fault in carrying out their duties, or an act derogatory to the honour or dignity of the teaching profession involving behaviour that could create a reasonable fear for students physical or psychological safety,<sup>3</sup> must report the situation to the Minister without delay.

## **5. Discretion, Confidentiality and Protection of Personal Information**

- 5.1. All staff members and all persons required to work with minor or special needs students or be in contact with them must act with discretion, caution and discernment by respecting the privacy of students and other staff members when it comes to the confidential information they learn in carrying out their duties, in particular any personal information entrusted to them by the person in question.
- 5.2. All staff members and all persons required to work with minor or special needs students or be in contact with them must collect and use only the personal information necessary to carry out their duties and communicate it in accordance with the applicable provisions in this regard.  
  
Such information must be communicated in an appropriate, secure and respectful manner, and in such a way as to avoid causing undue harm to the person in question.
- 5.3. All staff members and all persons required to work with minor or special needs students or be in contact with them must respect image rights by obtaining the consent of a minor student's parent or guardian or the consent of a student aged 18 or over before taking or distributing photographs, videos, screen shots, etc. They must also make sure that these images are in line with the Educational Organization's mission.

## **6. Integrity, Honesty and Transparency**

- 6.1. All staff members and all persons required to work with minor or special needs students or be in contact with them must act with integrity, good faith and transparency in order to maintain parents' and the public's trust in the Educational Organization and the education system.

### **Use & Management of Assets and Resources**

- 6.2. All staff members and all persons required to work with minor or special needs students or be in contact with them must contribute to the sound management of public funds in carrying out their duties.
- 6.3. All staff members and all persons required to work with minor or special needs students or be in contact with them must make responsible, safe and careful use of the educational, material and technological assets and resources made available to them by the Educational Organization or one of its institutions, and avoid using them for personal or third-party use, unless they receive prior authorization to do so.  
  
This implies acting as an ethical citizen in the digital age, and adopting a critical and informed approach to the use of digital media.
- 6.4. All staff members and all persons required to work with minor or special needs students or be in contact with them must behave with prudence, care and probity, and avoid participating directly or indirectly in any theft, fraud, corruption, collusion, falsification of documents, breach of trust or any other similar negligence, misconduct or reprehensible act, in particular with respect to a contract.

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<sup>3</sup> For a review of the criteria for determining whether conduct could create a reasonable fear for students' physical or psychological safety, see the Ministère's guide for school service centres, school boards and private educational institutions, *La vérification des antécédents judiciaires et des comportements pouvant raisonnablement faire craindre pour la sécurité physique ou psychologique des élèves* (in French only).

## **Conflicts of Interest and Gifts**

- 6.5. All staff members and all persons required to work with minor or special needs students or be in contact with them must avoid placing themselves in situations where there could be a real or perceived conflict between their personal interests and their professional duties.

If such a situation should arise, they must report in writing to their immediate supervisor any potential, actual or perceived conflict of interest, or any other circumstance they know of that could reasonably, or reasonably be perceived to, influence their decisions, judgment or work.

- 6.6. Staff members and persons required to work with minor or special needs students or be in contact with them must carry out their duties in such a way as to not unduly influence a decision, or obtain a direct or indirect benefit for themselves or a third party.
- 6.7. All staff members and all persons required to work with minor or special needs students or be in contact with them must refuse all gifts (e.g., presents, donations, benefits, compensation, favours) unless it is a token of recognition of symbolic or modest value that cannot influence or appear to influence their decisions, judgment or work.

## **7. Professionalism, Expertise and Commitment**

- 7.1. All staff members and all persons required to work with minor or special needs students or be in contact with them must perform the required work, fully play the role they have been assigned and show diligence in carrying out their duties.
- 7.2. All staff members and all persons required to work with minor or special needs students or be in contact with them must act in a professional and responsible manner, with attention to detail, objectivity, diligence and vigilance.
- 7.3. All staff members and all persons required to work with minor or special needs students or be in contact with them must carry out their duties competently and offer quality services by contributing actively to students' educational success and development.

This involves developing their knowledge and keeping it up to date, in particular through ongoing education.

- 7.4. All staff members and all persons required to work with minor or special needs students or be in contact with them must carry out their duties with commitment, fostering collaboration with peers, co-operation, support and the sharing of best practices.

Such collaboration is essential on the part of persons who provide services to students with special needs, social maladjustments or learning disabilities for whom an individualized education plan has been established.

- 7.5. All staff members and all persons required to work with minor or special needs students or be in contact with them must participate actively and positively in school life and contribute to the development of their community.
- 7.6. All staff members and all persons required to work with minor or special needs students or be in contact with them must know and understand the ethical standards and expected practices and conduct, and commit to complying and promoting compliance with them.

## **8. Loyalty and Duty of Confidentiality**

- 8.1. All staff members and all persons required to work with minor or special needs students or be in contact with them must remain loyal to the Educational Organization and its institutions by adhering to their mission, values, commitment-to-success plan and educational project during their employment or mandate and thereafter.

- 8.2. All staff members and all persons required to work with minor or special needs students or be in contact with them must act with reserve and moderation in any public display of their opinions and avoid saying things about the Educational Organization or its institutions, partners, employees, students or their parents that could harm their image or reputation.
- 8.3. All staff members and all persons required to work with minor or special needs students or be in contact with them must also avoid taking part directly or indirectly in activities that could harm the image or reputation of the Educational Organization or one of its institutions.
- 8.4. All staff members and all persons required to work with minor or special needs students or be in contact with them must make prudent, judicious and professional use of the internet, and traditional and social media, even outside of the workplace and working hours, and abide by the mission and values of the Educational Organization and one of its institutions.
- 8.5. All staff members and all persons required to work with minor or special needs students or be in contact with them must avoid speaking on behalf of the Educational Organization or one of its institutions in traditional or social media, or give the impression that they are doing so, unless they are expressly authorized to do so.
- 8.6. All staff members and all persons required to work with minor or special needs students or be in contact with them must obtain the authorization of their immediate supervisor before publishing a text whose content appears to emanate from the Educational Organization or one of its institutions, or that was written in the exercise of their duties.

## Reporting

### **Breach of the Code of Ethics**

All staff members and all persons required to work with minor or special needs students or be in contact with them and who witness or are informed of a breach of any provision of this Code of Ethics must report it to the Educational Organization without delay if it could reasonably pose a threat to the students' physical or psychological safety.<sup>4</sup>

### **Reporting a Breach of the Code of Ethics**

A breach in the Code of Ethics must be reported without delay to the RGEI (person in charge of ethics and integrity) who will forward it to the appropriate authority (see contact information below). The report must be in writing through email and contain information about the breach to the Code of Ethics including but not limited to: person making the report, person who has contravened the Code of Ethics, the section(s) from the Code of Ethics that have been breached, the date or timeframe of the breach and any other information that would be helpful to an investigation.

[RGEI@emsb.qc.ca](mailto:RGEI@emsb.qc.ca)

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<sup>4</sup> See Note 2.

## Dissemination and Application

- The director general, school principals and service directors are responsible for disseminating and promoting this Code of Ethics among staff members and all persons required to work with minor or special needs students or be in contact with them in their institution or administrative unit, and for ensuring its application.
- All staff members and all persons required to work with minor or special needs students or be in contact with them shall receive a copy of this Code of Ethics.
- The director general of the Educational Organization, supported by the school principals and service directors, is responsible for applying this Code of Ethics.
- The Educational Organization shall publish the Code of Ethics on its website and make the Code otherwise accessible to any person who requests it.

## Sanctions

A breach of this Code of Ethics may, by decision of the hierarchical authority concerned and in accordance with the collective agreements, labour agreements and service agreements or contracts in effect, result in the application of sanctions commensurate with the nature and severity of the breach.

## Evaluation and Update

The Educational Organization shall evaluate this Code of Ethics at the end of each school year and update it as needed.

## Effective Date

This Code of Ethics comes into effect on April 29, 2025, and takes precedence over any prior versions.