

ELECTION HANDBOOK

2021



Public School

Trustee Candidate

Revised May 2021

TABLE OF CONTENTS

1. INTRODUCTION

2. DIVISION FOUNDATIONAL STATEMENTS

- 2.1 Vision
- 2.2 Mission
- 2.3 Beliefs
- 2.4 School System Information
- 2.5 Board of Trustees
- 2.6 Responsibilities of Trustees
- 2.7 Role of the Trustee
- 2.8 Trustee Time Commitments

3. ELECTION INFORMATION

- 3.1 Nomination Day and Period
- 3.2 Nomination Paper and Candidate's Acceptance
- 3.3 Release of Candidate Information to the Public
- 3.4 Withdrawal of Nomination
- 3.5 If Insufficient Nominations Are Received
- 3.6 Election Finances and Contributions Disclosure
- 3.7 Conflict of Interest (Education Act)
- 3.8 Governing Legislation
- 3.9 Election Day

APPENDIX 1 ROLE OF THE BOARD (BRSD Policy 3)

APPENDIX 2 ROLE OF THE TRUSTEE (BRSD Policy 4)

APPENDIX 3 ROLE OF THE BOARD CHAIR (BRSD Policy 6)

APPENDIX 4 ROLE OF THE VICE-CHAIR (BRSD Policy 7)

APPENDIX 5 EXCERPTS - LOCAL AUTHORITIES ELECTION ACT

MAPS MAP - THE BATTLE RIVER SCHOOL DIVISION JURISDICTION
 MAP - WARD 1 (CITY OF CAMROSE)
 MAP - WARD 2 (BEAVER COUNTY)
 MAP - WARD 3 (CAMROSE COUNTY)
 MAP - WARD 4 (FLAGSTAFF COUNTY)

Disclaimer: *The information in this handbook is for reference purposes only.
Candidates should refer to the Local Authorities Election Act and the Municipal
Government Act for all legislative requirements.*

FORMS REQUIRED (brsd.ab.ca)

NOMINATION PAPER AND CANDIDATE'S ACCEPTANCE (Form 4)
CANDIDATE FINANCIAL INFORMATION (Form 5)
RELEASE OF CANDIDATE INFORMATION
CAMPAIGN DISCLOSURE STATEMENT AND FINANCIAL STATEMENT (Form 26)

1. INTRODUCTION

This information package has been assembled for your assistance. It contains answers to some frequently received questions from candidates, along with important facts candidates should be aware of. Copies of the *Local Authorities Election Act* may be obtained from: Alberta Queen's Printer, Suite 700, Park Plaza Building, 10611 98 Ave, Edmonton AB T5K 2P7, Phone 780-427-4952
Email: qp@gov.ab.ca Web: www.qp.alberta.ca

The *Education Act* is also available from the Alberta Queen's Printer. This provincial legislation governs how school boards operate and it outlines how trustees must conduct themselves.

If you have any further questions, please contact the returning officer, Imogene Walsh, or substitute returning officer, Michelle Hagel, at the Battle River School Division (BRSD) office at 780-672-6131.

2. DIVISION FOUNDATIONAL STATEMENTS

2.1 Vision: *Every Student, Every Day, A Success.*

2.2 Mission: The Battle River School Division, in collaboration with our communities, will support every student to be a lifelong learner and contributing member of society.

2.3 Beliefs:

We believe:

- Every child can learn.
- Our fundamental purpose is to promote student learning, growth and understanding.
- Everyone will be treated with dignity and respect in a safe and caring environment.
- Positive relationships build healthy, resilient students and staff.
- When a student is in need, we will provide support.
- All staff must be skilled, committed and dedicated to their own continuous learning.
- Optimal learning occurs when it is engaging, meaningful and active.

2.4 School System Information

Battle River School Division serves approximately 5,500 students in 34 schools located in Beaver County, Camrose County, Flagstaff County and the City of Camrose. Our Three-Year Education Plan can be found on our website: <http://www.brsd.ab.ca/our-division/reports-documents> The Division currently employs approximately 365 teaching staff and 344 non-teaching staff, not including substitutes.

2.5 Board of Trustees

The Board of Trustees for BRSD will consist of five (5) members from the following:

- TWO (2) trustees from Ward 1 (the City of Camrose)
- ONE (1) trustee from Ward 2 (the Beaver County)
- ONE (1) trustee from Ward 3 (the Camrose County)
- ONE (1) trustee from Ward 4 (the Flagstaff County)

2.6 Responsibilities of Trustees

Trustees are responsible for ensuring all children in the community receive a quality education.

1. Be familiar with Division policies, procedures, meeting agendas, and reports in order to participate in Board business.
2. Communicate, inform and involve parents, staff, and the community at large in school board decisions and activities.
3. Evaluate the Superintendent of Schools.
4. Make and enforce policies that set out standards and expectations regarding the actions of administration, teachers, and students.

5. Set goals and priorities for the jurisdiction that achieve provincial education standards, meet the needs of students, and reflect the community's wishes.
6. Adopt an annual budget that achieves jurisdiction priorities.
7. Lobby the municipal and provincial governments on education issues of importance to the jurisdiction.
8. Adjudicate policy appeals.

2.7 Role of the Trustee

A key responsibility for trustees is to stay in touch with community stakeholders so Trustees understand and reflect in their decision making what all citizens value and want from their local public schools. It is important to note that trustees do not represent any one school, neighbourhood or community, but rather make decisions based on the needs of the entire jurisdiction. See Policy 4 (pages 9-10) for specific responsibilities of individual trustees.

2.8 Trustee Time Commitments

Trustees are expected to commit to at least two days per month for board business. In addition there may be evening meetings planned for system and school activities. Typically, there are no meetings planned for July and the beginning of August, and one only in December and June. Commitments include attending board meetings, committee meetings, school council meetings, and two Alberta School Board Association conferences each year.

3. ELECTION INFORMATION

Please note this is an information manual and has no legislative sanction. For certainty, please refer to the Local Authorities Election Act -- <https://www.qp.alberta.ca/documents/Acts/L21.pdf>

3.1 Nomination Day and Period

Please note that the Returning Officer WILL NOT accept nominations forms sent by fax or email. It is not necessary for the candidate to deliver their nomination forms personally.

The Returning Officer will receive **fully completed** nomination forms **by prior appointment only** at the Division Office of the Battle River School Division (5402 48A Avenue Camrose) between January 1, 2021 and by no later than 12:00 p.m. (noon) on Monday, September 20, 2021 (Nomination Day), for the position of five (5) Trustees. The Nomination Paper and Candidate's Acceptance form (Form 4) and Candidate Financial Information form (Form 5) can be accessed on the Battle River School Division elections webpage. <https://www.brsd.ab.ca/board-of-trustees/school-board-trustee-election-2021>

On Nomination Day (September 20, 2021), papers will be received by the Returning Officer between 10:00 am and noon at the Battle River School Division Office.

To arrange for the set-up an appointment, call 780-672-6131, Ext. 5235 (Returning Officer) or Ext. 5228 (Substitute Returning Officer).

3.2 Nomination Paper and Candidate's Acceptance

It is the responsibility of the candidate to properly complete the *Nomination Paper and Candidate's Acceptance* form. A copy of this form is on <https://www.brsd.ab.ca/board-of-trustees/school-board-trustee-election-2021>

Every nomination of a candidate shall be in the prescribed form and signed by at least five (5) eligible voters. An eligible voter is a person who:

- is at least 18 years old;
- is a Canadian citizen; and
- resides in Alberta and the person's place of residence is located in the local jurisdiction on election day.

The Candidate's Acceptance requires you swear or affirm that you:

- are eligible to be elected under Sections 21 and 47 of the *Local Authorities Election Act*, and Section 4(4) and 74 of the *Education Act*;
- are not otherwise disqualified under Section 22 or 23 of the *Local Authorities Election Act*;
- have read Sections 12, 21, 22, 23, 27, 28, 47, 68.1, and 151 and Part 5.1 of the *Local Authorities Election Act*, and Sections 4(4) and 74 of the *Education Act* and understand their contents; and
- will accept the office, if elected.

A Federal public servant employee may seek nomination but he/she must request permission from the Public Service Commission of Canada *before* filing the Nomination Paper. Contact 1-866-707-7152 or <https://www.canada.ca/en/public-service-commission/services/political-activities/brochure-political-activities.html>

3.3 Release of Candidate Information to the Public

Throughout the election campaign, the Returning Officer may receive requests for candidates' telephone numbers, email addresses, and websites. These come from the news media, organizers of election forums, and the public. In addition, the Deputy Minister of Municipal Affairs, as well as the Deputy Minister of Education, require contact information for candidates. In order for the Returning Officer to release contact information, candidates are asked to complete a Release of Candidate Information form and provide it to the Returning Officer with their Nomination papers. A copy of this form is included in this guide or on <https://www.brsd.ab.ca/board-of-trustees/school-board-trustee-election-2021>

3.4 Withdrawal of Nomination

If more than the required number of candidates for school trustee are nominated, any person nominated may, at any time within 24 hours after the close of the nomination period (before 12:00 p.m. noon on Tuesday, September 21, 2021), withdraw as a candidate by filing written notification with the Returning Officer. Written notification must be received in person. Faxed or email notice of withdrawal will not be accepted.

If, after one or more candidates have withdrawn, the number of remaining candidates does not exceed the number of vacancies to be filled, the Returning Officer shall refuse to accept further withdrawals.

3.5 If Insufficient Nominations Are Received

If insufficient nominations to fill the number of persons required for the office of school trustee are received during the specified hours on nomination day, the Returning Officer will continue to receive nominations on the next day between the hours of 10:00 a.m. and 12:00 p.m. (noon) at the same location. The process will continue from day to day until the required number of nominations has been received or a period of six (6) days, including nomination day, but not including Saturday, Sunday, or holidays, has elapsed.

3.6 Election Finances and Contributions Disclosure

Duties of a Candidate (LAEA s. 147.23, 147.24, 147.3) - A candidate must ensure that:

- a campaign account, either in the candidate's name or the name of their election campaign, is opened at a financial institution for the election campaign at the time of nomination or as soon as possible after contributions exceed \$1,000 in total;
- if a campaign account has been opened, all monetary contributions are deposited into the account;
- money in the account is only used for the payment of campaign expenses;
- contributions of real property, personal property and services are valued;
- receipts are issued for every contribution and obtained for every expense;
- disclosure statements are filed;
- contribution and expense records are kept and retained for three years after the date the disclosure statement was to be filed;
- proper direction is provided to the official agent and anyone else who is authorized to incur campaign expenses and to accept campaign contributions;

- a contribution received in contravention of the *LAEA* is returned to the contributor as soon as possible; and
- an anonymous contribution, which cannot be returned to the contributor, is provided to a registered charity or school board.

Campaign Disclosure (LAEA s.147.4) - Every candidate, including a candidate who withdraws, is required to file a disclosure statement with the secretary on or before March 1 immediately after the general election. For by-elections, the disclosure statement must be filed no later than 120 days after the date of the by-election.

The disclosure statement must include:

- the total amount of all campaign contributions received during the campaign period that didn't exceed \$50 in total from any single contributor;
- the total amount contributed, with the contributor's name and address, for each person whose contributions during the campaign period exceeded \$50 in total;
- the total amount of contributions received (not exceeding \$5,000) outside the campaign period;
- the total amount from fundraising functions;
- the total amount of other revenue;
- the total amount of campaign expenses;
- an itemized campaign expense report setting out the campaign expenses incurred by the candidate;
- the total amount of money paid by the candidate;
- the total amount of any surplus, including any surplus from previous campaigns; and
- the amount of any deficit.

If a candidate doesn't file nomination papers in the next general election, they must give the surplus to the school board within six months after the date of the general election. If there's a deficit, the candidate must eliminate the deficit.

Campaign Surplus (LAEA s.147.5 2021) - The candidate must donate an amount to a registered charity that results in the surplus being less than \$1,000 and may retain any portion of that amount or donate that amount to a registered charity and report it accordingly.

Late Filing - A candidate who fails to file a campaign disclosure statement on time will have to pay a \$500 late filing fee to the school board.

3.7 Conflict of Interest (Education Act)

The rules governing trustee conflicts of interest are outlined in the *Education Act*. The pecuniary interests of a trustee's spouse or adult interdependent partner are deemed to be the pecuniary interest of the trustee.

Once elected, trustees must file a statement with the secretary of the Board showing:

- the names and employment of the trustee and the trustee's spouse or adult interdependent partner,
- the names of the corporations, partnerships, firms, governments, or persons in which the trustee has a pecuniary interest, and
- the names of the corporations, partnerships, firms, governments, or persons in which the trustee's spouse or adult interdependent partner or children under 18 years of age have a pecuniary interest.

3.8 Governing Legislation

Local Authorities Election Act excerpts are located in Appendix 5.

Note: It is the responsibility of the candidate to ensure the conditions of eligibility are not in violation.

3.9 Election Day Monday, October 18, 2021 10:00 a.m. to 8:00 p.m.

APPENDIX 1 - ROLE OF THE BOARD (Policy 3)

As the corporate body elected by the electors that support Battle River School Division, the Board of Trustees is responsible for the development of goals and policies to guide the provision of educational services to students in keeping with the requirements of government legislation and the values of the electorate.

Natural Person Powers

The Board, as a natural person, will engage and carry out any activity that is consistent with the responsibilities of a Board as set out in Section 33 of the Education Act.

Specific Areas of Responsibility

1. Accountability to Provincial Government
 - 1.1 Act in accordance with all statutory requirements to implement provincial and educational standards and policies.
 - 1.2 Perform Board functions required by governing legislation and existing Board policy.
2. Accountability to Community
 - 2.1 Make data informed decisions that reflect community values and represent the interests of the entire Division.
 - 2.2 Establish processes and provide opportunities for focused community input. On an annual basis the Board will consult with various stakeholders groups; ie. municipalities, local businesses.
 - 2.3 Report Division results to the community at least annually.
 - 2.4 Develop procedures for and hear appeals as required by statute and/or Board policy.
 - 2.5 Model a culture of respect and integrity.
3. Three-Year Education Plan
 - 3.1 Provide overall direction for the Division by establishing mission, vision, strategic priorities and key results.
 - 3.2 Identify Board priorities at the outset of the annual Three-Year Education Planning process.
 - 3.3 Annually approve Three-Year Education Plan for submission to Alberta Education.
 - 3.5 Monitor progress toward the achievement of student outcomes and other desired results.
 - 3.6 Annually evaluate the effectiveness of the Division in achieving established goals and desired results.
 - 3.7 Approve Annual Education Results Report for distribution to public.
4. Policy
 - 4.1 Determine the goals and objectives the Division wishes to pursue.
 - 4.2 Identify how the Board is to function by establishing policies and procedures governing the conduct of meetings of the board and the administration and business of the board
 - 4.3 Monitor and evaluate the effectiveness of the established policies and procedures on a regular basis.
 - 4.4 Solicit advice (from the Superintendent and ASBA), then set the mandates for negotiation.
 - 4.5 Delegate authority to the Superintendent and define commensurate responsibilities.
 - 4.6 Provide direction in those areas over which the Board wishes to retain authority.
5. Superintendent / Board Relations
 - 5.1 Appoint the Superintendent for a period of not more than 5 years with the prior approval in writing of the Minister.
 - 5.2 Provide the Superintendent with clear corporate direction.

- 5.3 Delegate, in writing, administrative authority and identify responsibility subject to provisions and restrictions in the Education Act.
 - 5.4 Respect the authority of the Superintendent to carry out executive action and support the Superintendent's actions which are exercised within the delegated discretionary powers of the position.
 - 5.5 Evaluate the Superintendent once per term.
- 6. Political Advocacy
 - 6.1 Develop a yearly plan for advocacy including focus, key messages, relationships, and mechanisms.
 - 6.2 Build consensus amongst competing public interests regarding issues where compromise is required.
- 7. Board Development
 - 7.1 Annually evaluate Board effectiveness.
 - 7.2 Plan for Board/Trustee development including increased knowledge of role, processes and issues to further the effectiveness of the Board.
 - 7.3 Develop an annual work plan outlining its key activities along with appropriate timelines. Refer to Schedule A – Board Annual Work Plan.
- 8. Fiscal Accountability
 - 8.1 Approve budget annually and ensure resources are allocated to achieve desired results.
 - 8.2 Approve annually the Capital Plan for submission to Alberta Education by the date due.
 - 8.3 Review Audit Report.
 - 8.4 Monitor fiscal management of the Division.
 - 8.5 Ratify Memoranda of Agreement with bargaining units.
 - 8.6 Approval of the transfer of funds to capital reserves.
 - 8.7 Approve all contracts for good and non-employment services with the Division that exceed a value of \$200,000.00 unless such contracts follow explicitly from budget approval.

Selected Responsibilities

The Board shall:

- 1. Approve acquisition and disposal of land and buildings.
- 2. Approve alternative programs.
- 3. Approve locally developed/acquired junior and senior high school complementary courses.
- 4. Approve international travel study trips.
- 5. Name schools and other Board-owned facilities.
- 6. Approve Division school-year calendars.
- 7. Establish school attendance areas.
- 8. Provide for recognition of students, staff and community.
- 9. Make a recommendation to the Minister for the dissolution of a School Council.
- 10. Hear appeals of the Superintendent's decision on harassment complaints.
- 11. Hear appeals of the Superintendent's decision related to transportation.
- 12. Approve specific initiatives to be funded from the Board's Innovations fund.
- 13. Approve facility Joint Use Agreements when required.
- 14. Name trustee(s) to serve on selected joint Board-administrative committees.

Legal Reference: Section 51, 52, 53, 60, 68, 184, 185 Education Act
 Amended: April 30th, 2020

APPENDIX 2 - ROLE OF THE TRUSTEE (Policy 4)

The role of the Trustee is to contribute to the Board as it carries out its mandate in order to achieve its mission and goals. The oath of office taken by each Trustee when s/he assumes office binds that person to work diligently and faithfully in the cause of public education.

The Board of Trustees is a corporation. The decisions of the Board in a properly constituted meeting are those of the corporation. A Trustee who is given corporate authority to act on behalf of the Board may carry out duties individually but only as an agent of the Board. In such cases, the actions of the Trustee are those of the Board, which is then responsible for them. A Trustee acting individually has only the authority and status of any other citizen of the Division.

As a result of elections, the Board may experience changes in membership. To ensure continuity and facilitate smooth transition from one Board to the next following an election, Trustees must be adequately briefed concerning existing Board policy and practice, statutory requirements, initiatives and long-range plans.

The Board believes an orientation program is necessary for effective Trusteeship.

1. The Board will offer an orientation program for all newly elected Trustees that provides information on:
 - 1.1 Role of the Trustee and the Board;
 - 1.2 Organizational structures and procedures of the Division;
 - 1.3 Board policy, agendas and minutes;
 - 1.4 Existing Division initiatives, annual reports, budgets, financial statements and long-range plans;
 - 1.5 Division programs and services;
 - 1.6 Board's function as an appeal body; and
 - 1.7 Statutory and regulatory requirements, including responsibilities with regard to conflict of interest.
2. If an election results in the appointment of all new Trustees, the responsibility of Board orientation will rest with the Superintendent and division staff.
3. The Board Chair, in consultation with the Superintendent, is responsible for ensuring the development and implementation of the Board's orientation program for newly elected Trustees. The Superintendent shall provide each Trustee with access to the Board Orientation Manual at the organizational meeting following a general election or at the first regular meeting of the Board following a by-election.
4. Incumbent Trustees are encouraged to help newly elected Trustees become informed about the history, functions, policies, procedures and issues.
5. The Board will provide financial support for Trustees to attend Alberta School Boards Association sponsored orientation seminars.

Specific Responsibilities of Individual Trustees

1. Become familiar with Division policies and procedures, meeting agendas, and reports in order to participate in Board business.
2. Refer queries, or issues and problems not covered by Board policy, to the Board for corporate discussion and decision.

3. Refer administrative matters to the Superintendent. The Trustee, upon receiving a complaint from a parent or community member about operations, will refer the parent or community member back to the school or department and will inform the Superintendent of this action.
4. Keep the Superintendent and the Board informed in a timely manner of all matters coming to his/her attention that might affect the Division.
5. In consultation with the Board Chair, ensure requests for information from the Superintendent:
 - 5.1 Are supported by the majority of the Board;
 - 5.2 Are relevant to the role of the Board;
 - 5.3 Are an appropriate allocation of staff time and resources;
 - 5.4 Include an appropriate timeframe for staff to complete the request.
6. Assist the Superintendent with counsel and advice, providing the benefit of the Trustee's judgment, experience and familiarity with the community.
7. Attend Board meetings; participate in, and contribute to, the decisions of the Board in order to provide the best solutions possible for education within the Division.
8. Support the decisions of the Board and refrain from making any statements that may give the impression that such a statement reflects the corporate opinion of the Board when it does not.
9. When delegated responsibility, will exercise such authority within the defined limits in a responsible and effective way.
10. Participate, subject to Board approval, in Board/Trustee development sessions so that the quality of leadership and service in the Division can be enhanced.
11. Stay current with respect to provincial, national and international educational issues and trends.
12. Share the materials and ideas gained with fellow Trustees within two Board meetings following a Trustee development activity by submitting a Conference\Meeting Report Form.
13. Strive to develop a positive and respectful learning and working culture both within the Board and the Division.
14. Attend Division or school community functions when possible.
15. Become familiar with, and adhere to, the Trustee Code of Conduct.
16. Report any violation of the Trustee Code of Conduct to the Board during an in-camera session.

Legal Reference: Section 53, 75, 85-96 Education Act
RSA 2000 Oaths of Office Act
Amended: April 30th, 2020

APPENDIX 3 - ROLE OF THE BOARD CHAIR (Policy 6)

The Board believes that its ability to discharge its obligation is enhanced when leadership and guidance is forthcoming from its membership.

The Board, at the organizational meeting and thereafter at any time as determined by the Board, shall elect one of its members to serve as Board Chair, to hold office at the pleasure of the Board. The Board entrusts to its Chair primary responsibility for providing leadership and guidance.

The Board delegates to the Chair the following powers and duties:

1. Preside over all Board meetings and ensure that such meetings are conducted in accordance with the School Act and the policies and procedures as established by the Board.
2. Prior to each Board meeting, confer with the Vice-Chair and the Superintendent on the items to be included on the agenda, the order of these items, and become thoroughly familiar with them.
3. Perform the following duties during Board meetings:
 - 3.1 Maintain the order and proper conduct and decorum of the meeting so that motions may be formally debated;
 - 3.2 Ensure that all issues before the Board are well-stated and clearly expressed;
 - 3.3 Display firmness, courtesy, tact, impartiality, and willingness to give everyone an opportunity to speak on the subject under consideration;
 - 3.4 Ensure that debate is relevant. The Chair, in keeping with his/her responsibility to ensure that debate must be relevant to the question, shall, when s/he is of the opinion that the discussion is not relevant to the question, remind members that they must speak to the question;
 - 3.5 Decide questions of order and procedure, subject to an appeal to the rest of the Board.
 - 3.6 Submit motions or other proposals to the final decision of the meeting by a formal show of hands;
 - 3.7 Ensure that each trustee present votes on all issues before the Board;
 - 3.8 Extend hospitality to trustees, officials of the Board, the press, and members of the public.
4. Keep informed of significant developments within the Division.
5. Be responsible for ensuring the development and implementation of the Board's orientation program for newly elected trustees.
6. Keep the Superintendent and the Board informed in a timely manner of all matters coming to his/her attention that might affect the Division.
7. Be in regular contact with the Superintendent to maintain a working knowledge of current issues and events.
8. Convey directly to the Superintendent such concerns as are related to him/her by trustees, parents, or students that may affect the administration of the Division.
9. Provide counsel to the Superintendent, when requested to do so.
10. Bring to the Board all matters requiring a corporate decision of the Board.
11. Act as the chief spokesperson for the Board except for those instances where the Board has delegated this role to another individual or group.

12. Act as ex-officio member of all committees appointed by the Board.
13. Act as a signing officer for the Division.
14. Represent the Board, or arrange alternative representation, at official meetings or other public functions.
15. Address inappropriate behavior on the part of a trustee.
16. Ensure that the Board engages in annual assessments of its effectiveness as a Board.
17. Ensure that individual trustee requests for information from the Superintendent:
 - Are supported by the majority of the board.
 - Are relevant to the role of the board.
 - Are an appropriate allocation of staff time and resources.
 - Include an appropriate timeframe for staff to complete the request.

Legal Reference: Section 52, 53 Education Act
Local Authorities Election Act
Board Procedures Regulation, Alta Reg 82/2019
Amended: April 30th, 2020

APPENDIX 4 - ROLE OF THE VICE-CHAIR (Policy 7)

The Vice-Chair shall be elected by the Board at its organizational meeting, and thereafter at any time determined by the Board, to hold office during the pleasure of the Board.

Specific Responsibilities

1. The Vice-Chair shall act on behalf of the Board Chair, in the latter's absence and shall have all the duties and responsibilities of the Board Chair.
2. The Vice-Chair shall assist the Board Chair in ensuring that the Board operates in accordance with its own policies and procedures and in providing leadership and guidance to the Board.
3. Prior to each Board meeting, the Vice-Chair shall confer with the Board Chair and the Superintendent on items to be included on the agenda, the order of these items and become thoroughly familiar with them.
4. The Vice-Chair shall develop a yearly plan for advocacy including focus, key messages, relationships, and mechanisms in accordance with Policy 2 – Role of the Board, sub-point 6.1.
5. The Vice-Chair may be assigned other duties and responsibilities by the Board Chair.
6. The Vice-Chair shall be an alternate signing authority for the Division.

Legal Reference: Board Procedures Regulation, Alta Reg 82/2019
Education Act
Amended: April 30th, 2020

APPENDIX 5 - LOCAL AUTHORITIES ELECTION ACT – EXCERPTS

Qualification of candidates

- 21(1) A person may be nominated as a candidate in any election under this Act if on nomination day the person
- (a) is eligible to vote in that election,
 - (b) has been a resident of the local jurisdiction and the ward, if any, for the 6 consecutive months immediately preceding nomination day, and
 - (c) is not otherwise ineligible or disqualified.
- (2) Notwithstanding subsection (1), in the case of a city, a candidate for councillor is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the city.
- (3) Notwithstanding subsection (1), a candidate for trustee of a board of a school division that is wholly or partly within the boundaries of a city is not required to be a resident of the ward in either a general election or a by-election, but must be a resident of the school division.
- (4) If the boundaries of a local jurisdiction are altered by the addition of land, a person who has been a resident of the added land for at least the 6 months immediately preceding nomination day is deemed, for the purposes of this section, to have been a resident, during that time, of the local jurisdiction to which the land was added.

Ineligibility

- 22(1) A person is not eligible to be nominated as a candidate in any election under this Act if on nomination day
- (a) the person is the auditor of the local jurisdiction for which the election is to be held;
 - (d.1) the person has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act*, the *Election Finances and Contributions Disclosure Act* or the *Canada Elections Act* (Canada).
- (1.1) A person is not eligible to be nominated as a candidate for election as a trustee of a school division if on nomination day the person is employed by
- (a) a school division,
 - (b) a charter school, or
 - (c) a private school,
- in Alberta unless the person takes a leave of absence under this section.
- (1.2) A person is not eligible to be nominated as a candidate for election as a councillor or a school board trustee if
- (a) a report was transmitted under section 147.8(1) in respect of the person,
 - (b) the Court did not dispense with, or extend the time for, compliance with section 147.4 by an order under section 147.8(3), and
 - (c) subject to subsection (1)(d.1), nomination day for the election occurs within
 - (i) the 8-year period following the day on which the secretary transmitted the report to council or the school board, or
 - (ii) where the disclosure statement required by section 147.4 has been filed with the secretary, the 3-year period following the day of filing,whichever period expires first.
- (1.3) Subsection (1.2) applies
- (b) with respect to a candidate for election as a school board trustee, if a report has been transmitted under section 147.8(1)(b) respecting a campaign period beginning on or after January 1, 2019.
- (5.1) An person employed by an entity referred to in subsection (1.1) who wishes to be nominated as a candidate for election as a trustee of a board of a school division may notify that person's employer on or after July 1 in the year of an election but before the person's last working day prior to nomination day that the person is taking a leave of absence without pay under this section.
- (6) Notwithstanding any bylaw, resolution or agreement of a local jurisdiction, every person who notifies an employer in accordance with subsection (5) or (5.1) is entitled to a leave of absence without pay.
- (7) An employee who takes a leave of absence under this section is subject to the same conditions that apply to taking a leave of absence without pay for any other purpose.
- (8) If an employee who takes a leave of absence under this section is not elected, the employee may return to work, in the position the employee had before the leave commenced, on the 5th day after election day or, if the 5th day is not a working day, on the first working day after the 5th day.

- (9) If an employee who takes a leave of absence under this section is declared elected, the employee is deemed to have resigned that position as an employee the day the employee takes the official oath of office as an elected official.
- (10) If an employee who takes a leave of absence under this section is declared elected but, after a recount under Part 4, is declared not to be elected, the employee may return to work on the first working day after the declaration is made, and subsections (7) and (8) apply.
- (11) Subject to subsection (12), an employee who takes a leave of absence under this section and is declared elected continues to be deemed to have resigned that position as an employee if the employee subsequently forfeits the elected office or if the employee's election is adjudged invalid.
- (12) If, through no act or omission of the employee, an employee forfeits the elected office or the employee's election is adjudged invalid, the employee may return to work on the first working day after the office is forfeited or the election is adjudged invalid, and subsections (7) and (8) apply.

Re-election

- 24(1) A person who held office on a board of trustees under the *Education Act* and
 - (a) who resigned that office to avoid making restitution for money the person received that disqualified the person from holding that office pursuant to this or any other Act and has been ordered by a judge to make restitution, or
 - (b) who was declared by a judge to be disqualified to hold that office pursuant to this or any other Act,
 is not eligible to become a member of that board of trustees until after 2 general elections have occurred after the date on which the person was ordered to make restitution or was declared to be disqualified.
- (2) Notwithstanding that a by-election or general election has been held between the time when the disqualification of the member or former member arose and the time when the order or declaration has been made by the judge, subsection (1) applies and, if the person was re-elected, the person is not eligible to remain a member of the board of trustees.
- (3) Notwithstanding subsections (1) and (2), a judge
 - (a) who has made an order described in subsection (1)(a), or
 - (b) who has declared a person to be disqualified
 may reduce the period of disqualification.
- (4) An appeal against the decision of a judge under this section lies to the Court of Appeal.

Nomination day

- 25(1) Nomination day is 4 weeks before election day.
- (2) A person may file a nomination to become a candidate
 - (a) for a general election, within the period beginning on January 1 in a year in which a general election is to be held and ending at 12 noon on nomination day, and
 - (b) by a by-election, within the period beginning on the day after the resolution or bylaw is passed to set election day for the by-election and ending at 12 noon on nomination day.

Notice of nomination day

- 26(1) The returning officer shall give notice of nomination day in the prescribed form by publishing a notice at least once a week in each of the 2 weeks before nomination day in a newspaper or other publication circulating in the area, or by mailing or delivering a notice to every residence in the local jurisdiction at least one week before nomination day.
- (2) On complying with subsection (1), the returning officer may publish, mail and deliver additional notices and give notice by any other method as many times as the returning officer considers appropriate.

Form of nomination

- 27(1) Every nomination of a candidate must
 - (a) be in the prescribed form,
 - (b) be signed by at least 5 persons who are electors eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination,
 - (c) be accompanied with a written acceptance sworn or affirmed in the prescribed form by the person nominated, stating

- (i) that the person is eligible to be elected to the office,
 - (ii) the name, address and telephone number of the person's official agent, if one has been appointed,
 - (iii) that the person will accept the office if elected,
 - (iv) that the person will read and comply with the municipality's code of conduct if elected, and
 - (v) that the persons who have signed the nominations are electors who are eligible to vote in that election and resident in the local jurisdiction on the date of signing the nomination,
- and
- (d) if required by bylaw, be accompanied with a deposit in the required amount.
- (1.1) A person who files a nomination shall also submit, in the prescribed form, the following information to the returning officer:
- (a) the full name and contact information of the candidate;
 - (b) the address of the place or places where records of the candidate are maintained and of the place to which communications may be addressed;
 - (c) the name and address of the financial institutions to be used by or on behalf of the candidate for the candidate's campaign account, if applicable;
 - (d) the names of the signing authorities for each account referred to in clause (c), if applicable.
- (1.2) When there is any change in the information required to be provided under subsection (1.1), the candidate shall notify the local jurisdiction in writing within 48 hours after the change, and on receipt of the notice the local jurisdiction shall update the information accordingly.
- (1.3) Notice under subsection (1.2) may be sent by fax or e-mail.
- (2) Notwithstanding subsection (1), a city that is a local jurisdiction with a population of at least 10 000 or a board of trustees under the *Education Act* of a local jurisdiction with a population of at least 10 000 may, by a bylaw passed prior to December 31 of a year before a year in which a general election is to be held, specify the minimum number of electors required to sign the nomination of a candidate for an office, but that number must be at least 5 and not more than 100.
- (3) Notwithstanding subsection (1), if a system of wards is in effect, only an elector who is a resident of the ward for which a candidate for election is being nominated may sign the nomination of the candidate.

Nominations

- 28(1) Subject to subsection (1.2), nominations shall be submitted at the local jurisdiction office at any time during the nomination period.
- (1.1) An elected authority may, by a bylaw passed prior to December 31 of the year before a year in which a general election is to be held, provide that a returning officer may establish one or more locations, in addition to the local jurisdiction office, where a deputy may receive nominations.
- (1.2) If an elected authority passes a bylaw referred to in subsection (1.1), nominations shall be submitted to the local jurisdiction office or any location established by the returning officer at any time during the nomination period.
- (2) The person nominated as a candidate is responsible for ensuring that the nomination filed under this subsection meets the requirements of section 27.
- (3) Any person may file a nomination described in section 27 in accordance with this section.
- (4) A returning officer shall not accept the following for filing:
- (a) A nomination that is not completed in the prescribed form;
 - (b) A nomination that is not signed by at least the minimum number of persons required to sign the nomination;
 - (c) A nomination that is not sworn or affirmed by the person nominated;
 - (d) If a bylaw has been passed under section 29(1), a nomination that is not accompanied by the deposit required by the bylaw.
- (5) If the returning officer has not rejected a nomination form under subsection (4), the returning officer must sign the form to indicate that the form has been accepted.
- (6) At any time after the commencement of the relevant period referred to in section 25(2) until the term of office to which the filed nomination papers relate has expired, a person may request to examine the filed nomination papers during regular business hours and in the presence of the returning officer, deputy or secretary.
- (7) The returning officer or secretary must retain all the filed nomination papers until the term of office to which the papers relate has expired.

- (8) Twenty-four hours after the close of nominations on nomination day, the returning officer shall, as soon as practicable, forward a signed statement showing the name of each nominated candidate and any information about the candidate that the candidate has consented to being disclosed to the relevant Minister's Deputy Minister.
- (9) A statement referred to in subsection (8) may be forwarded by electronic means, including by fax or e-mail.
- (10) Within 48 hours of the close of nominations on nomination day, the returning officer shall post or cause to be posted at the local jurisdiction office the names of all candidates that have been nominated and the offices for which they were nominated.

Insufficient nominations

- 31(1) If the number of persons nominated for any office is less than the number required to be elected, the time for receipt of nominations
 - (a) shall stand adjourned to the next day at the same place at the hour of 10 a.m. and shall remain open until 12 noon for the purpose of receiving further nominations for the office, and
 - (b) shall continue to remain open and be adjourned in the same manner from day to day until 12 noon of the day that the required number of nominations has been received or a period of 6 days, including nomination day but not including Saturday, Sunday and holidays, as defined in the *Interpretation Act*, has elapsed.
- (4) If sufficient nominations to fill all vacancies are not received, the secretary shall immediately notify the relevant Minister, who may recommend a change in the status of the local jurisdiction or any other action the relevant Minister considers necessary.

Withdrawal of nomination

- 32(1) A person nominated as a candidate may withdraw as a candidate at any time during the nomination period.
- (2) Subject to subsection (3), at any time within 24 hours after the close of the nomination period, if more than the required number of candidates for any particular office are nominated, any person so nominated may withdraw as a candidate for the office for which the candidate was nominated by filing with the returning officer a withdrawal in writing.
- (3) If, after one or more candidates have withdrawn in accordance with subsection (2), the number of remaining candidates does not exceed the number of vacancies to be filled, the returning officer shall refuse to accept further withdrawals.

Death of candidate

- 33(1) An elected authority may, by a bylaw passed prior to nomination day, provide that if prior to the opening of the voting stations on election day a candidate for an elected authority dies after being nominated,
 - (a) the election for the position for which the deceased candidate was nominated shall be discontinued, and
 - (b) the elected authority shall as soon as practicable provide for the holding of a new election for that office.
- (2) If a candidate dies after being nominated and a bylaw has not been passed under subsection (1), the returning officer shall cause a notice of the death to be posted at a conspicuous location in all the relevant voting stations.

Election by acclamation

- 34(1) When at the close of nominations the number of persons nominated for any office is the same as the number required to be elected, the returning officer shall declare the persons nominated to be elected to the offices for which they were nominated.
- (2) Forthwith after having declared a person elected, the returning officer shall give to the secretary and the relevant Minister's Deputy Minister written notification signed by the returning officer of the names of the persons so elected and of the offices to which they were elected and the returning officer shall deliver the nomination papers and other material relating to the receipt of nominations to the secretary.
- (3) At any time after 12 noon on nomination day until the term of office to which the filed nomination papers relate has expired, a person may request to examine the filed nomination papers during regular business hours and in the presence of the returning officer, deputy or secretary.
- (4) The returning officer or secretary must retain all the filed nomination papers until the term of office to which the nomination papers relate has expired.

Eligibility to vote

- 47(1) A person is eligible to vote in an election held pursuant to this Act if the person
- (a) is at least 18 years old,
 - (b) is a Canadian citizen, and
 - (c) resides in Alberta and the person's place of residence is located in the local jurisdiction on election day.
- (2) Subject to subsection (3) and sections 75, 77.1, 79, 81 and 83, an elector is eligible to vote only at the voting station for the voting subdivision in which the elector's place of residence is located on election day.
- (3) If a local authority establishes a voting station at a work site, the local authority may direct that those workers who are electors who wish to vote and who are required to work at the site during the hours for which the voting station is open shall vote at that voting station, notwithstanding that those workers do not reside in the voting subdivision in which that voting station is located.

Rules of residence

- 48(1) For the purposes of this Act, the place of residence is governed by the following rules:
- (a) a person may be a resident of only one place at a time for the purposes of voting under this Act;
 - (a.1) if a person has more than one residence in Alberta, that person shall, in accordance with subsection (1.1), designate one place of residence as the person's place of residence for the purposes of this Act;
 - (b) the residence of a person is the place where the person lives and sleeps and to which, when the person is absent, the person intends to return;
 - (c) a person does not lose the person's residence by leaving the person's home for a temporary purpose;
 - (d) subject to clause (e), a student who
 - (i) attends an educational institution within or outside Alberta,
 - (ii) temporarily rents accommodation for the purpose of attending an educational institution, and
 - (iii) has family members who are resident in Alberta and with whom the student ordinarily resides when not attending an educational institutionis deemed to reside with those family members;
 - (e) if a person leaves the area with the intention of making the person's residence elsewhere, the person loses the person's residence within the area.
- (1.1) For the purposes of subsection (1)(a.1), a person shall designate the person's place of residence in accordance with the following factors in the following order of priority:
- (a) the address shown on the person's driver's licence or motor vehicle operator's licence issued by or on behalf of the Government of Alberta or an identification card issued by or on behalf of the Government of Alberta;
 - (b) the address to which the person's income tax correspondence is addressed and delivered;
 - (c) the address to which the person's mail is addressed and delivered.
- (2) A person who is a resident of a public school division or of a separate school division under the *Education Act* is deemed to be a resident of the public school division or that separate school division, as the case may be, under this Act.

Option for official agent

- 68.1(1) Each person nominated as a candidate may, on the nomination form, appoint an elector to be the candidate's official agent.
- (1.1) If it becomes necessary to appoint a new official agent, the candidate shall immediately notify the returning officer in writing of the contact information of the new official agent.
- (2) A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act*, *Election Finances and Contributions Disclosure Act* or the *Canada Elections Act* (Canada) is not eligible to be appointed as an official agent.
- (3) No candidate shall act as an official agent for any other candidate.
- (4) The duties of an official agent are those assigned to the official agent by the candidate.

Candidate's scrutineer

- 69(1) If, at any time during voting hours, a person who is at least 18 years old presents to the presiding deputy a written notice, in a form acceptable to the returning officer,
- (a) signed by a candidate, and

- (b) stating that the person presenting the notice is to represent that candidate as the candidate's scrutineer at the voting station,
the person presenting the notice shall be recognized by the presiding deputy as the scrutineer of the candidate.
- (1.1) A person who has, within the previous 10 years, been convicted of an offence under this Act, the *Election Act*, the *Election Finances and Contributions Disclosure Act* or the *Canada Elections Act* (Canada) is not eligible to be recognized as a scrutineer.
- (2) Before a person is recognized as a scrutineer, the person shall make and subscribe before the presiding deputy at the voting station a statement in the prescribed form.
- (3) The presiding deputy shall not permit a candidate to have an official agent or a scrutineer present while the candidate is present in a voting station during voting hours.
- (3.1) The presiding deputy shall not permit a candidate to have both an official agent and a scrutineer present at the same time in a voting station during voting hours.
- (4) A candidate or official agent personally may
 - (a) undertake the duties that the candidate's scrutineer may undertake, and
 - (b) attend any place that the candidate's scrutineer is authorized by this Act to attend.
- (5) The presiding deputy may designate the place or places at a voting station where a candidate, an official agent or a scrutineer of a candidate may observe the election procedure, and in designating the place or places, the presiding deputy shall ensure that the candidate, official agent or scrutineer can observe any person making a statement under section 53(1)(b) or (2), or 78.
- (6) When, in the provisions of this Act that relate to the election of a member of an elected authority, expressions are used requiring or authorizing an act or thing to be done or implying that an act or thing is to be done in the presence of an official agent, a scrutineer or a candidate, the expression is deemed to refer to the presence of those an official agents and scrutineers
 - (a) that are authorized to attend, and
 - (b) that have in fact attended at the time and place where that act or thing is being done,
 and if the act or thing is other-wise properly done, the nonattendance of an official agent or a scrutineer at that time and place does not invalidate it.

Proof of appointment

- 71 If a person is appointed as a scrutineer under section 70, the person shall
- (a) before being admitted as a scrutineer to the voting station during voting hours, or
 - (b) before being permitted to attend at the voting station for the counting of votes,
- produce to the person in charge of the voting station the person's appointment as a scrutineer and take and subscribe to the statement under section 16 in the prescribed form.

Limitations on contributions

- 147.2(1) Only an individual ordinarily resident in Alberta may make a contribution to a candidate.
- (2) No prohibited organization and no individual ordinarily resident outside Alberta shall make a contribution to a candidate.
 - (3) Subject to subsection (4), no individual ordinarily resident in Alberta shall contribute in any campaign period an amount that exceeds
 - (b) \$5000 to any candidate for election as a school board trustee.
 - (4) A candidate may contribute an amount of up to \$10 000 that is not reimbursed to the candidate from the candidate's campaign account by the end of the campaign period to the candidate's own campaign expenses.
 - (4.1) Any amount paid by a candidate for campaign expenses from the candidate's own funds that is not reimbursed to the candidate from the candidate's campaign account by the end of the campaign period, including an amount referred to in subsection (4), is a contribution to the candidate's own campaign for the purposes of this Act.
 - (5) No candidate and no person acting on behalf of a candidate shall, directly or indirectly, solicit or accept a contribution if the candidate or person knows or ought to know that the prospective contributor is a prohibited organization or an individual ordinarily resident outside Alberta.
 - (6) No candidate and no person acting on behalf of a candidate shall solicit or accept a contribution if the candidate or person knows or ought to know that the amount of the contribution will exceed the amounts referred to in subsection (3).

Offence – candidate’s acceptance

- 151 A candidate for elective office who signs a candidate’s acceptance form that contains a false statement is guilty of an offence and liable to a fine of not more than \$1000.

Prohibitions

- 148(1) No person shall:
- (a) without authority supply a ballot to any person,
 - (b) fraudulently put into a ballot box any paper other than a ballot that the person is authorized by this Act to deposit,
 - (c) fraudulently take a ballot out of the voting station,
 - (d) without authority destroy, take, open or otherwise interfere with any ballot box or packet of ballots then in use for the purpose of an election.
- (2) No person shall:
- (a) request a ballot in the name of some other person, whether the name is that of a person living or dead or of a fictitious person, or
 - (b) having voted once, request at the same election a ballot in the person’s own name.
- (3) No person shall vote knowing that the person has no right to do so.
- (3.1) No person shall obstruct any person carrying out an inquiry, investigation or examination under this Act or withhold from that person or conceal or destroy any books, papers, documents or things relevant to the subject-matter of the investigation or examination.
- (4) No person shall make or sign a false statement for any purpose related to an election or vote held or to be held under this Act.
- (5) No person shall print or distribute or cause to be printed or distributed in any advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper a form of ballot printed by the returning officer, indicating or showing it to be marked for any candidate or candidates.
- (6) Notwithstanding anything in this section, the returning officer may at any time after nomination day cause a facsimile of the ballot for chief elected official, member of an elected authority, bylaw or question to be published as often as the returning officer considers necessary in a newspaper circulating in the area, for the information of the electors.
- (7) A person who contravenes subsection (1), (2), (3), (3.1), (4) or (5) is guilty of an offence and liable to a fine of not more than \$10 000 or to imprisonment for not more than 6 months or to both fine and imprisonment.

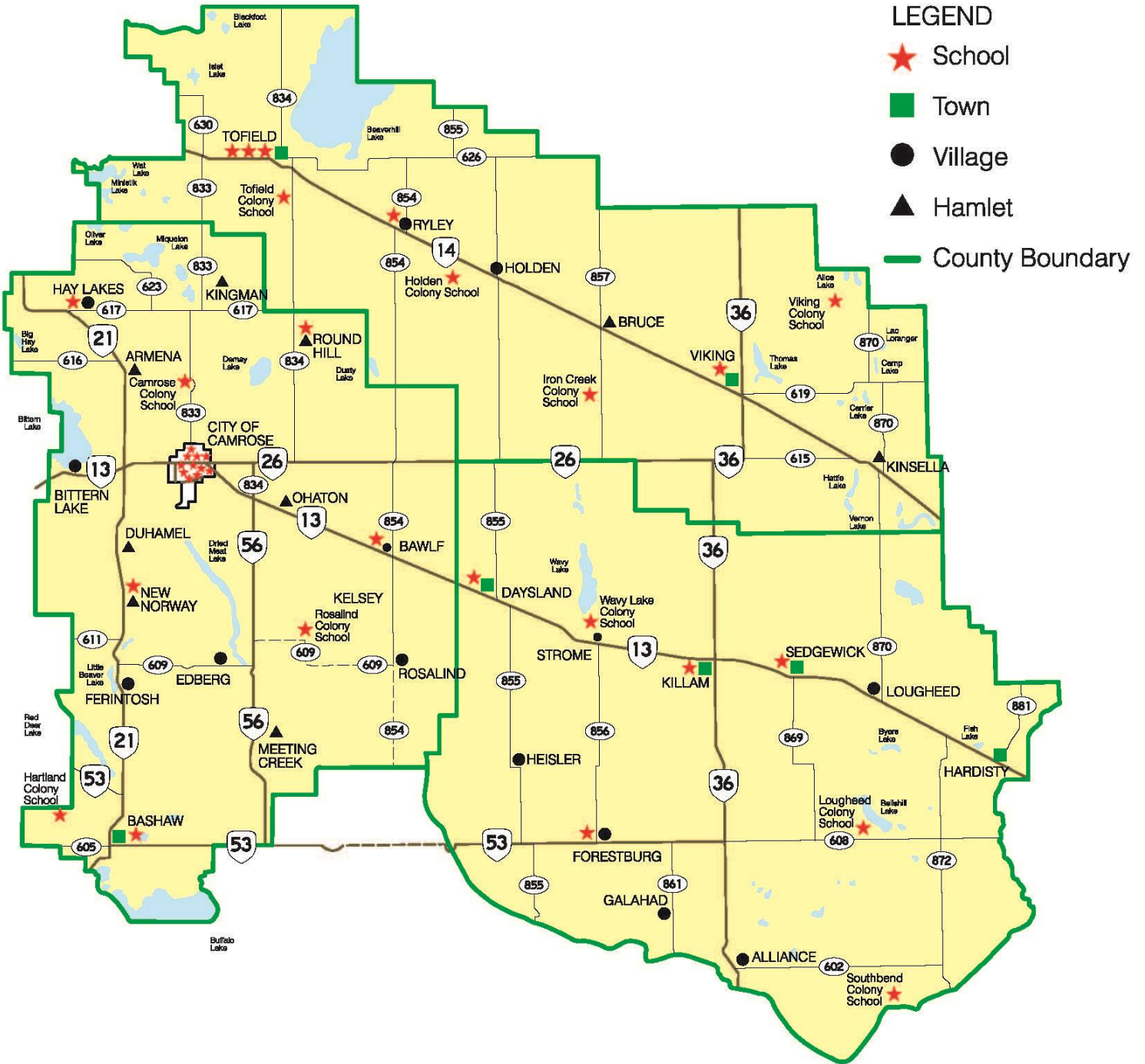
Advertisement distribution

- 152(1) Subject to subsection (2), a person who, at an advance vote or on election day,
- (a) displays within a building used for a voting station, or within the boundaries of the land on which a building used for a voting station is located, or
 - (b) distributes within a building used for a voting station or within the boundaries of the land on which the building used for a voting station is located, an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper except those posted by the deputy in accordance with this Act is guilty of an offence and liable to a fine of not more than \$500.
- (2) When a voting station is located in a building containing a complex of interlocking offices, stores or other facilities, the prohibition in subsection (1) applies only to the store, office or facility comprising the area used as a voting station.
- (4) Where a person displays an advertisement, handbill, placard, poster, circular, pamphlet, newspaper or other paper contrary to subsection (1), the deputy may cause it to be removed, and neither the deputy nor any person acting under the deputy’s instructions is liable for trespass or damages resulting from or caused by the removal.

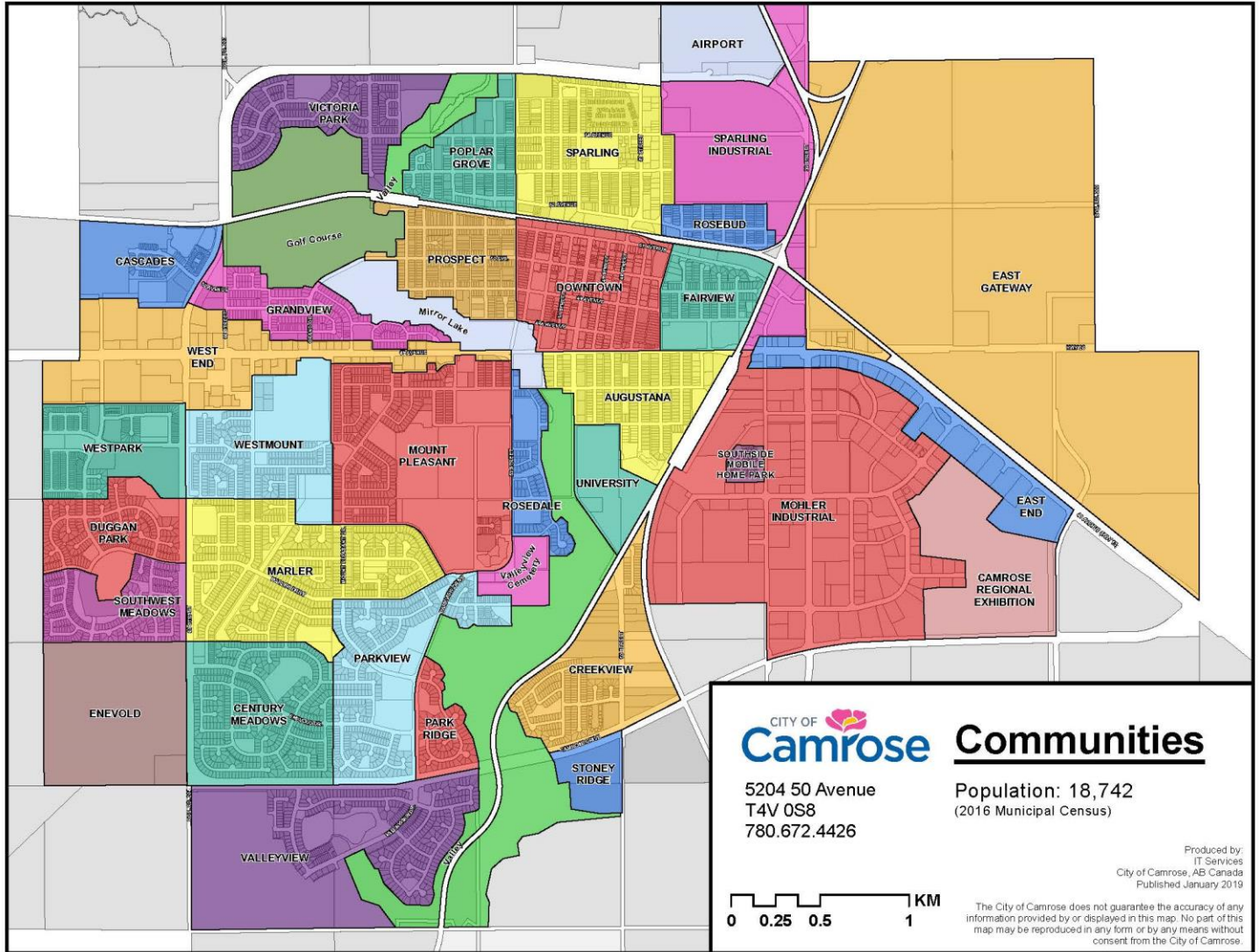
Interference with posted documents

- 153 A person who, without authorization, takes down, covers up, mutilates, defaces or alters any notice or other document required to be posted under this Act is guilty of an offence and liable
- (a) if the person is an officer, to a fine of not more than \$1000, and
 - (b) in any other case, to a fine of not more than \$200.

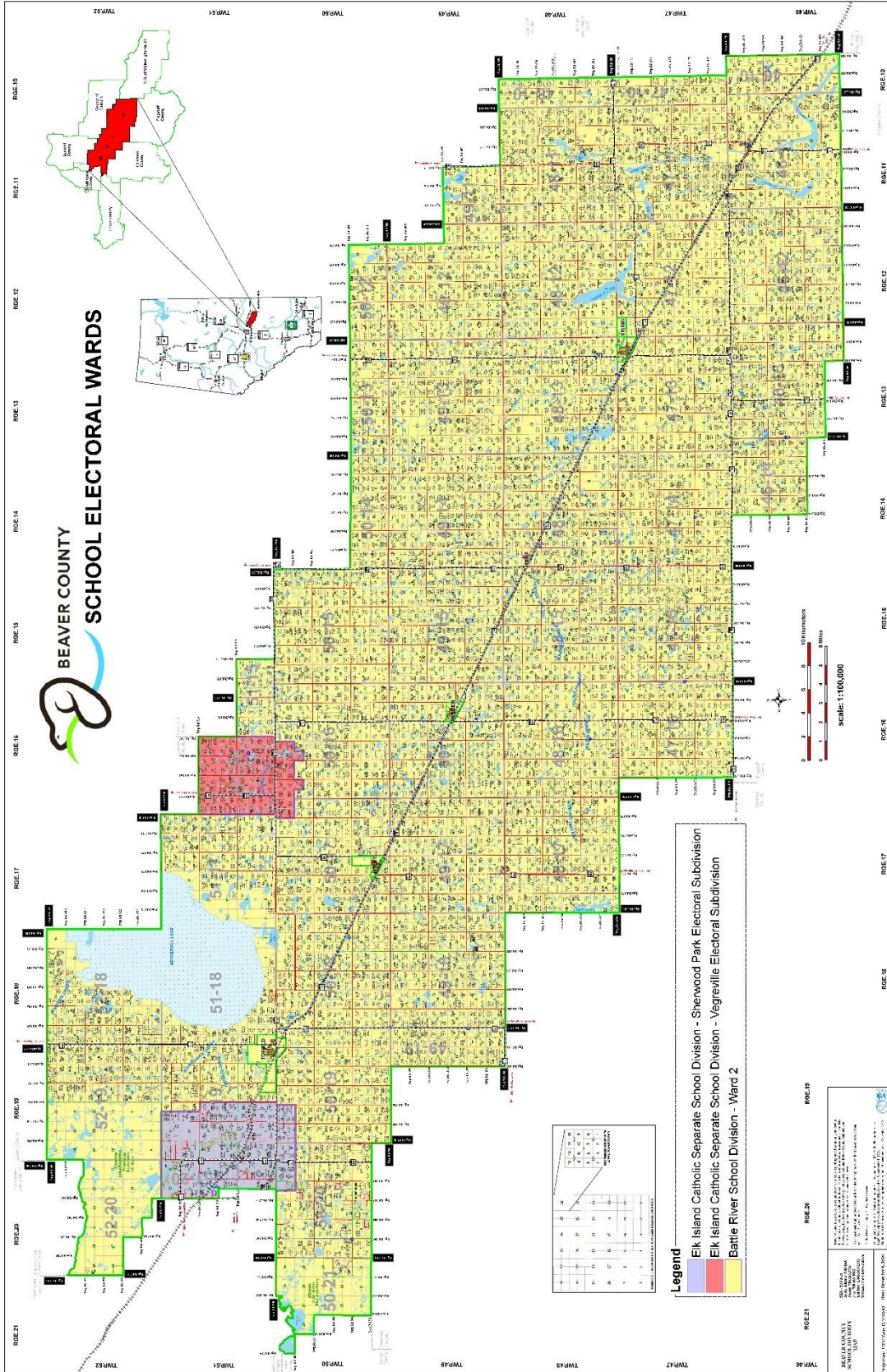
MAP - THE BATTLE RIVER SCHOOL DIVISION JURISDICTION



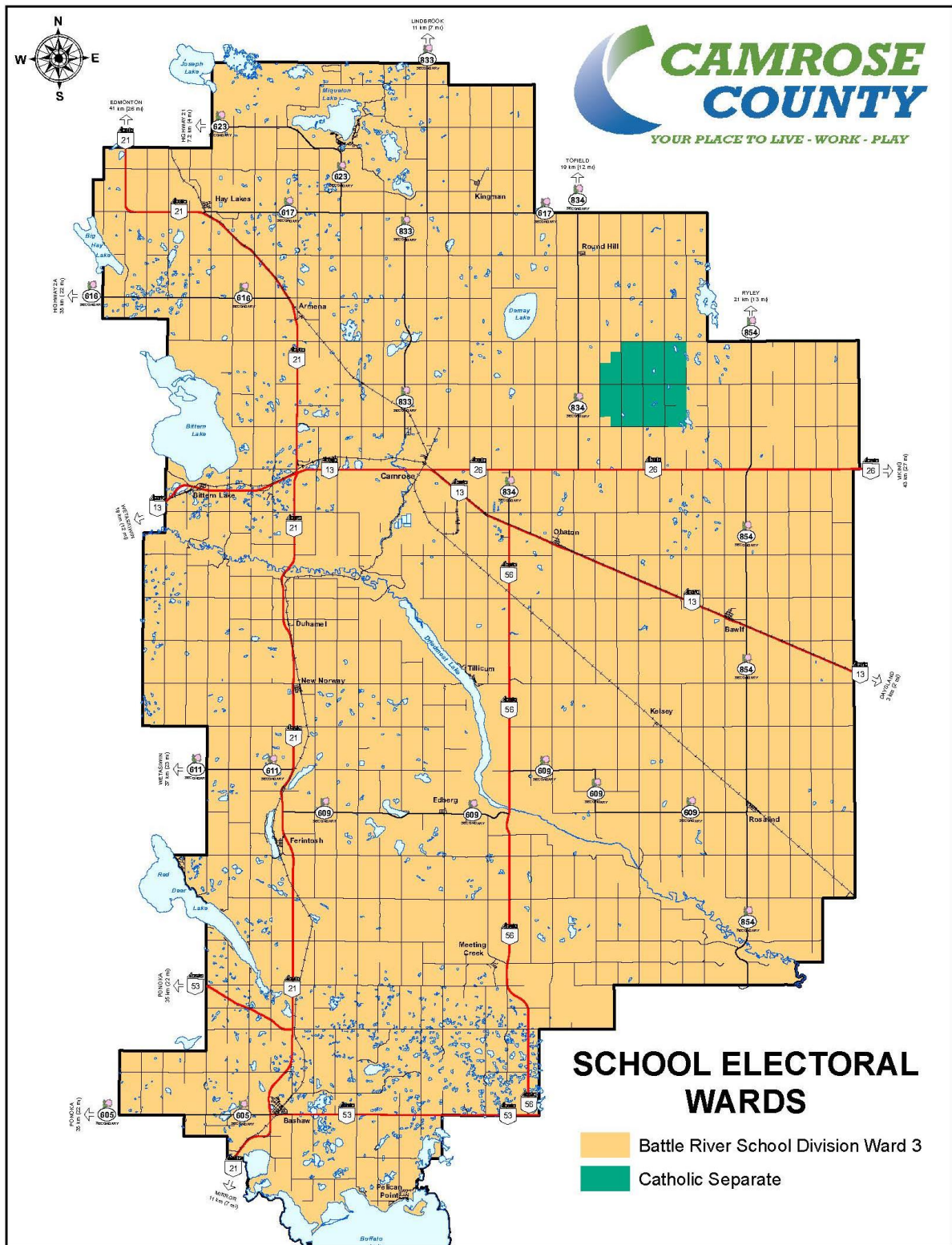
MAP - WARD 1 (CITY OF CAMROSE)



MAP – WARD 2 (BEAVER COUNTY)



MAP – WARD 3 (CAMROSE COUNTY)



MAP – WARD 4 (FLAGSTAFF COUNTY)



School Electoral Wards

