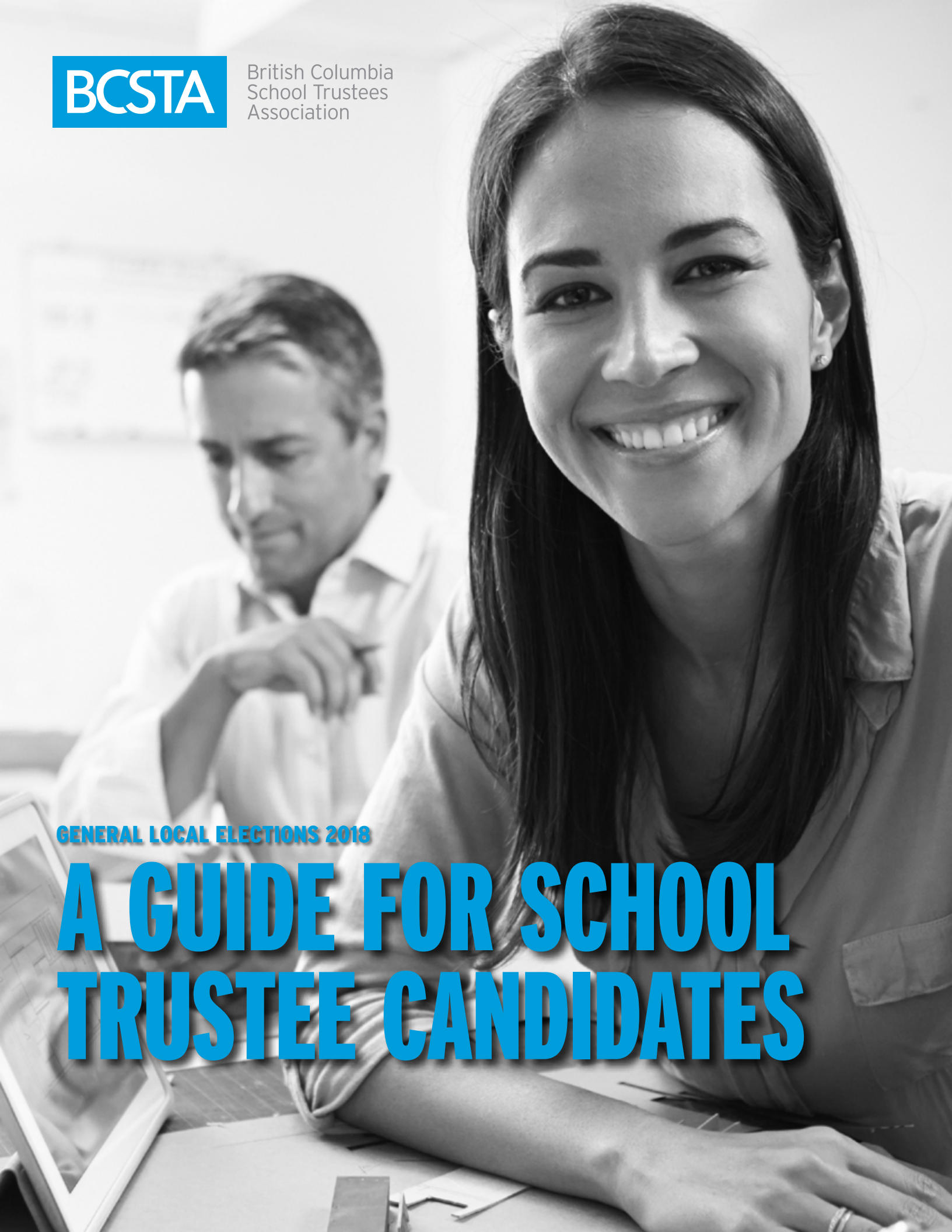
BCSTA

British Columbia
School Trustees
Association



GENERAL LOCAL ELECTIONS 2018

A GUIDE FOR SCHOOL TRUSTEE CANDIDATES

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DISCLAIMER:

This document provides general information and should not be relied upon as legal advice.

PRESIDENT'S MESSAGE

Congratulations on making the commitment to run (or run again) for school trustee.

Local school trustee elections allow the community an important opportunity to lead and oversee our valuable investment in public education. Trustees are hardworking community leaders who come together in the context of a board in support of student success. The work is demanding, but important and rewarding.

The British Columbia School Trustees Association (www.bcsta.org) is a provincial voice for trustees and boards of education in BC. We offer trustees and school districts services and support, and we act as a provincial advocate for public education.

As you embark on your campaign, remember to check with your local school district. They will have candidate packages that include information and copies of the forms you will need.

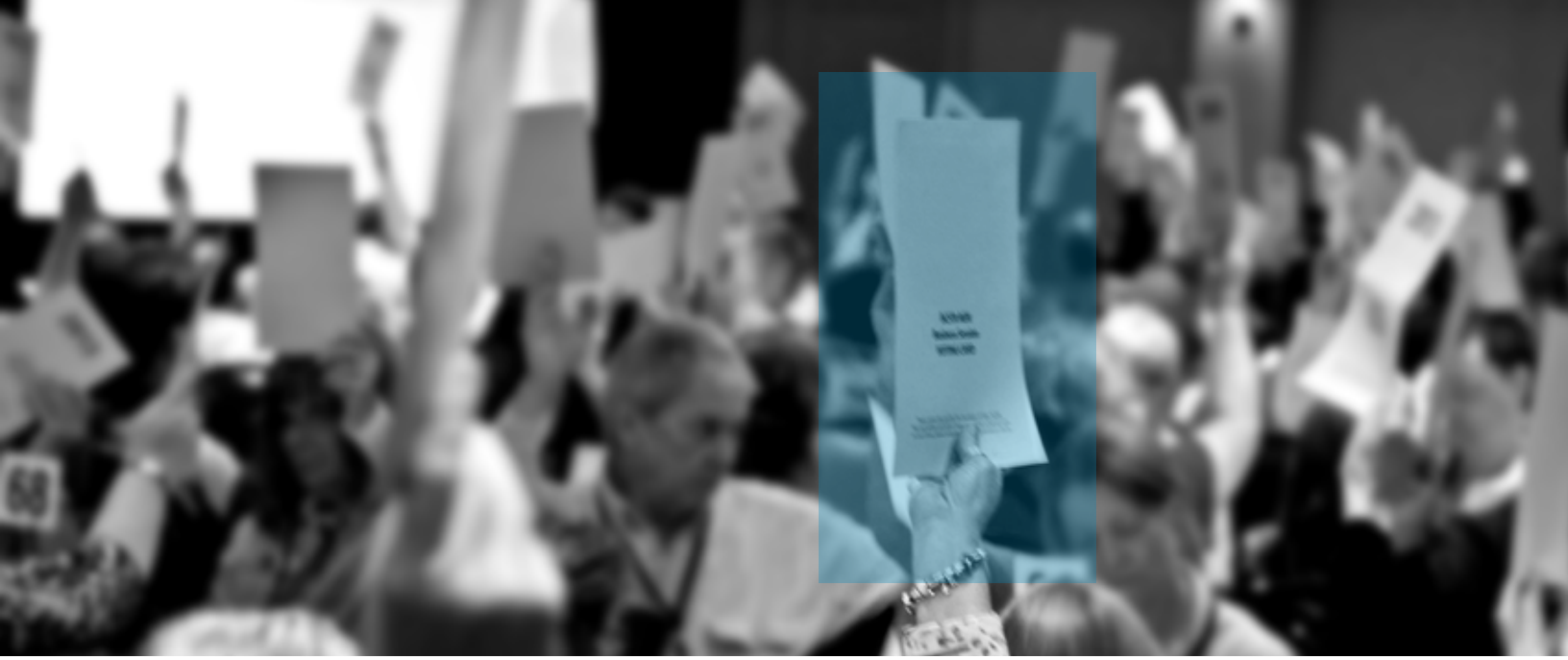
On behalf of BCSTA, I wish you the best of luck in the coming weeks and thank you for your dedication to public education in our province.

- **Gordon Swan**, *President*, BCSTA

BOARDS OF EDUCATION

Boards of education share a co-governance relationship with the provincial government and the Ministry of Education. The Ministry of Education sets the general direction for K-12 education, including the curriculum, amounts of funding and legal framework within which boards operate. Boards are responsible for operating school districts based on the educational aspirations of their local communities and in accordance with the general direction established by government. The respective responsibilities of the Ministry of Education and boards of education are described in the *School Act* (bit.ly/bcschoolact). The *School Act* outlines the primary functions of boards of education, including:

- Attending meetings,
- Setting local policy for the effective and efficient operation of schools,
- Employing the staff necessary for school district operations,
- Establishing conditions of employment for employees,
- Preparing and approving the school district's operating budgets and capital plans,
- Hearing appeals from parents and students where a staff decision significantly affects the education, health or safety of the student. ■



WHAT DOES A SCHOOL TRUSTEE DO?

School trustees are the members of the school district's board of education. They are locally-elected representatives of the public and they are the community's advocates for public education in their local school district. They are required to carry out their responsibilities in a manner that assists the board in fulfilling its duties under the *School Act*.

A trustee's role is to maintain a focus on student achievement and well-being, and to participate in making decisions that benefit the entire district while representing the interests of their community.

TRUSTEES ESTABLISH THE DISTRICT'S STRATEGIC DIRECTION

The board is responsible for setting the overall direction for the school district. Trustees work together to establish the board's strategic plan, which sets the direction of the district for parents, the public and the board's staff, and lays out the priorities and strategic direction of the school district.

The board ensures that the superintendent carries out responsibilities for implementing the board's strategic plan. The superintendent acts as the CEO who holds the responsibility for the day-to-day work in this area or the delegation of the work to various people and groups within the organization. For example, the board does not take on the responsibility for the evaluation of individual teachers or administrators. Instead, it should ensure the superintendent has put in place the necessary procedures and actions to ensure teachers and administrators within the district are evaluated on a regular basis according to established board policy.

TRUSTEES ARE FINANCIAL STEWARDS

School districts are significant businesses in communities. Boards have important responsibilities for approval and oversight of school district financial decisions. One of the most important aspects of governance for trustees is to connect district goals, strategic planning and economic realities, through the establishment of the school district's annual budget. The board oversees development of a strategic plan and the allocation of resources to support that plan. The board ensures the budget and staff allocations are in alignment with the plan and the identified goals that are intended to improve outcomes for students.

TRUSTEES ARE A PART OF A TEAM

A school trustee is a member of a team: the board of education. Under the *School Act*, the trustee's power lies in membership on the corporate school board. What this means is that the board has the authority to make decisions or to take action; individual trustees in and of themselves do not have this authority.

While healthy debate is an important aspect of good governance, once the board has voted, it is the board's decision and an individual trustee's responsibility to act in a manner that promotes and upholds

the board's decision and to communicate the board's decision back to the public.

The issues that motivate an individual to run for school trusteeship can often be deeply personal. A passion for issues in public education is important to guide one's work, however, it will be vital to the success of the board of education for each member trustee to look beyond personal issues in order to make decisions that benefit the school district as a whole.

TRUSTEES ARE COMMUNITY LEADERS

Trustees work with their board of education colleagues and with other community partners to ensure that all the students within the board's jurisdiction have equal opportunities to reach their maximum potential.

While members of the board act as representatives of their community, their primary job is to participate in policy-making and strategic planning that are in the interests of all of the district's students, and are grounded in promoting student achievement and well-being.

Successful trustees manage to balance the governance role with the representative role, participating in decision-making that benefits the whole board while representing the interests of their community.

BOARDS ARE EMPLOYERS

As employers of all school district staff, boards have a legal responsibility for employee relations with their management, teaching and support staff. For unionized staff, the terms and conditions of the relationship are established through legislation, board policy, and decisions made through the collective bargaining process and in collective agreements.

BC operates under a two-tier structure for teacher collective bargaining, with the BC Public School Employers' Association (BCPSEA)* and BC Teachers' Federation (BCTF) negotiating provincial issues, and local teacher associations and boards of education negotiating local issues.

The *Provincial Collective Agreement* between the BCPSEA and BCTF expires on June 30, 2019.

Boards will have a significant role to play to ensure their local priorities are heard during the next round of bargaining.

(**Note: BCPSEA (bcpsea.bc.ca) is the employers' association as well as the accredited bargaining agent for the province's 60 public boards of education. BCPSEA bargains provincial issues on behalf of boards of education with unionized teaching and support staff in British Columbia. Local bargaining is done through local teacher associations and boards of education.*) ■

AM I UP TO THE JOB?

Trustee candidates do not need to have a background in public education. However, the following skills and experience would be assets for potential trustee candidates and will be developed throughout a trustee's tenure.

UNDERSTANDING OF OFFICIAL MEETING PROCEDURES AND SCHOOL DISTRICT GOVERNANCE POLICIES

Candidates should review a copy of their board's bylaws, governance policies and codes of conduct. Candidates may wish to attend their local school board meetings or speak to existing board members to get an understanding of the process.

AWARENESS OF THE LEGAL, POLITICAL AND LEGISLATIVE PARAMETERS IN WHICH SCHOOL BOARDS OPERATE

Board operations are often highly prescribed by legislation or provincial policy. In executing their duties, trustees will develop an understanding of the legislative process, the structure and relevant provisions of school legislation (especially the *School Act*), government policy, and board policy.

FINANCIAL LITERACY

Financial oversight of a school district is complex work that requires trustees to be able to interpret financial statements, information and data, ask the right questions, and ultimately govern the financial, business and capital decisions of their school district. Trustees, through the BCSTA, will be provided with the support necessary to fulfill their financial oversight responsibilities.

WILLINGNESS TO LEARN

The board has the responsibility to competently protect the interests, image and credibility of the school district, to ensure its financial viability and to act in accordance with all applicable laws and board policies governing the board and its actions. These are significant and complex responsibilities that entail trustees acquiring education sector knowledge and skills to deal with the required range of information and decisions effectively, and to exercise appropriate oversight and accountabilities to protect the interests of students, families and the broader community.

BCSTA offers many services (bit.ly/bcstamemberbenefits) that will help prepare boards to carry out their governance and accountability responsibilities. BCSTA legal services, communications, professional development events, facilitations, in-district training sessions, online learning opportunities, and governance manuals are available to help trustees with their work.

REMUNERATION

Each board determines how trustees on the board will be remunerated. Please contact your local school district to inquire about trustee remuneration.

TIME COMMITMENT

Time commitments will vary but it is not uncommon for a trustee to spend an average of 15 hours per week on all the activities associated with the role, including:

- Preparing for and attending board meetings and committee meetings
- Attending community meetings as a representative of the school board
- Attending BCSTA Annual General Meetings
- Responding to the concerns of parents and other community members
- Responding to telephone calls or e-mails, meeting requests and queries from parents or members of the community as a member of the board. ■

WHAT'S THE SCHEDULE LIKE?

On top of board meetings, school trustees, also engage with their communities, attend school ceremonies and participate in different committees. Activities from one district to another will vary. As an example, below is a list of meetings and activities that a school trustee from the _____ School District attended in 2017.

January 2017
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February 2017
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March 2017
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April 2017
- BCSTA Annual General Meeting
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May 2017
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June 2017
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July 2017
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August 2017
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September 2017
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October 2017
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November 2017
- BCSTA Trustee Academy
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December 2017
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GETTING ELECTED

TRUSTEE ELECTORAL AREAS

School districts are divided into trustee electoral areas from which trustees are elected. You are not restricted to running for trustee only in the community where you reside.

There may be more than one trustee elected from a trustee electoral area. The composition of the boards (number of trustees, trustee electoral areas, number of trustees elected from each trustee electoral area) varies to reflect the communities and the population of each school district in the province.

In some school districts, all trustees are elected at large. That is, there is only one trustee electoral area, the whole school district, from which all trustees are elected. In other school districts, there are multiple trustee electoral areas.

Some trustee electoral areas may be composed of: one or more municipalities; a combination of municipalities and rural areas, and rural areas only.

In some communities, interested electors have formed elector organizations that endorse candidates.

Local governments and boards of education may cooperate on the running of elections. Some trustee elections may be conducted by a municipality or regional district. Therefore, information will be available and nominations filed in that office instead of, or as well as, the board of education office.

ELIGIBILITY

If you want to run for board of education, you must be a Canadian citizen who will be age 18 or older on general voting day. You must have been a BC resident for at least six months. You must not be disqualified under the *School Act* or any other enactment from being nominated for, elected to or holding office as a school trustee.

If you are endorsed by an elector organization, information regarding elector organizations is available on the Elections BC website (bit.ly/electororgs).

Please see the Francophone Education Authorities Regulation (bit.ly/bcfeareg) for qualifications to be a trustee in School District 93 (Conseil scolaire francophone de la Colombie-Britannique).

BOARD OF EDUCATION EMPLOYEES

You may be a board of education employee and want to run for a seat on your employer's board. Before you are nominated, you must give notice in writing to your employer of your intention to consent to the nomination. You must take a leave of absence from your employment with the board beginning on the first day of the nomination period or the date on which the notice is given, whichever is later. You will have to resign from your employment with the school district if you are elected to the board of education.

If you are a school district employee and want to seek election to a board of education that is not your employer, you don't have to take the leave of absence or resign. There may, however, be circumstances when you are ineligible to participate in certain board of education matters due to potential conflicts of interest which may arise from your being an employee of a board and a school trustee (e.g. provincial

collective bargaining if you are a unionized employee in one school district and a trustee in another district). Further information about conflict of interest follows.

CONFLICT OF INTEREST

Conflict of interest rules in the *School Act* and those derived from the common law (laws developed through court decisions) apply to school trustees.

The oath of office (bit.ly/trusteeoath) which trustees take includes a solemn affirmation that the trustee "will comply with the requirements of the *School Act* that relate to conflict of interest and, in particular, ... will comply with the requirements relating to disclosure of pecuniary and indirect pecuniary interest in a matter.

Part 5 of the *School Act* (bit.ly/schoolactpart5) addresses pecuniary (monetary) conflicts of interest. If a matter being considered by a board of education could monetarily affect a trustee on the board (or certain other persons associated with the trustee), the trustee is said to have a pecuniary interest in the matter. If a trustee has a pecuniary interest, the law considers the trustee to have a conflict, unless the trustee falls within a few narrow exceptions set out in the *School Act*. The conflict law says that the pecuniary interests of certain people associated with a school trustee through family (e.g. spouse, parent, child) will be treated as though they were the trustee's personal pecuniary interests. For example, a school trustee whose spouse, parent or child is a member of a union that represents unionized staff in a school district in British Columbia is not eligible:

- to be elected to the board of directors of the BCPSEA,
- to be a school trustee member of a BCPSEA bargaining team,
- to represent a board of education at any general meeting of BCPSEA or at any other function of BCPSEA.

If a trustee has a pecuniary interest in a matter that is being considered at a board or committee meeting, the trustee must disclose the pecuniary interest, not take part in any discussion of the matter, abstain from voting on the matter and not attempt in any want to influence the voting on the matter before, during or after the meeting.

Situations sometimes arise where a trustee does not have a financial interest in a matter before the board but his or her involvement in the matter may give rise to a reasonable apprehension of bias. For example, the board may be called on to deal with an issue involving close personal friends or relatives. At common law, a trustee is not qualified to vote on a matter in which he or she has a "personal interest" distinct from that of the community generally that could lead a reasonably well-informed outsider to think that the trustee's judgment could be influenced by that interest, in other words that your personal interest would lead to a "reasonable apprehension of bias."

KEY DATES

October 20, 2018 is the date of the next general school election.

A list of significant election dates will available on the Ministry of Education website (bit.ly/bcministryofed).

FILING YOUR NOMINATION

You will submit paperwork to the local chief election officer. Most boards prepare candidate packages, including samples of necessary forms.

Different districts require different numbers of nominators. Confirm that you have the correct number.

FINANCIAL INTERESTS

You must also include a written disclosure of your financial interests, as required by section 2(1) of the *Financial Disclosure Act* (bit.ly/fdactsection2).

This statement must provide details of both your corporate and personal holdings.

COMPLYING WITH ELECTION RULES

You alone are responsible for complying with the election rules, including ensuring all of the documents and the deposit (if required) connected with your nomination are filed with the chief election officer for your community by the deadline.

CAMPAIGN FINANCING

School trustee candidates are governed by the same campaign financing rules as are local government candidates. They are found in the *Local Elections Campaign Financing Act*. Elections BC administers the campaign financing and election advertising rules under the *Local Elections Campaign Financing Act*. The *Local Elections Campaign Financing Act* became law in 2014 and is available on the BC Laws website (www.bclaws.ca).

Campaign financing rules are complex. They are described in more detail in Elections BC resource materials (bit.ly/electionsbcresources).

CAMPAIGNING

Ensure you are familiar with rules relating to your campaign including:

- Local government bylaws relating to signage
- Ministry of Transportation's signs policy
- Election advertising on the internet
- Campaign rules applicable to general voting day

Your election campaign may include:

- Social media (Facebook, Twitter, etc.)
- Interviews
- Door-to-door canvassing
- Mainstreeting (meeting voters in a public space)
- Paid and unpaid media coverage
- Website or blog
- All-candidates' meetings

In preparing for all-candidates' meetings and for campaigning in general, you should get used to following some of the practices that will serve you well as a school trustee – be sure that you understand the role of a school trustee, attend board of education meetings, read school trustee publications, monitor the media to gain an awareness of regional and provincial issues in education, and ensure that you know about other candidates and their positions.

All of this preparation will help you to form your own views and opinions on education issues to include in your campaign.

RESOURCES

- BCSTA (www.bcsta.org)
- BC Ministry of Education (bit.ly/bcministryofed)
- BC Ministry of Municipal Affairs and Housing (bit.ly/ministryofmaah)
- Elections BC (elections.bc.ca)
- Civic Info BC (civicinfo.bc.ca)
- Local Elections Campaign Financing (bit.ly/campaignfinancing) ■

THE BC SCHOOL TRUSTEES ASSOCIATION

The BC School Trustees Association (BCSTA) serves and supports BC's boards of education in their key work of improving student achievement. At the local level, BCSTA provides professional development, legal counsel and communications. Provincially, our non-profit Association acts as boards' strong, unified voice in advocating to government, other education partners and the public on matters affecting public education.

The mission of the BCSTA is to support and advocate for effective public Boards of Education in British Columbia. Our mission is driven by the following beliefs:

1. A high-quality public education system is the foundation of a democratic society.
2. Improving student achievement is the key work of locally-elected boards of education.
3. The interests of BC students are best met through local decision-making with an engaged community.
4. Providing a strong, representative voice for boards of education throughout the province is important.
5. Helping to build effective boards of education by providing development, communications and support services continues to be a vital role.

Our member boards set the directions for advocacy and all other aspects of BCSTA's work. Members do this through resolutions at our annual general meeting in the spring, and at smaller Provincial Council governance meetings over the year.

BCSTA advocates strongly at the provincial and national levels on many areas of concern, and participates in a variety of government and partner group committees and initiatives, where trustee input significantly shapes final outcomes.

More about membership benefits can be found on the BCSTA website (www.bcsta.org).

Follow BCSTA on Twitter at @bc_sta. ■

GET YOUR BEARINGS

MARK YOUR CALENDARS!

BCSTA's **TRUSTEE ACADEMY**, a professional development conference for school trustees, is taking place November 29-December 1, 2018 in Vancouver, BC.

and

BCSTA's **NEW TRUSTEE ACADEMY**, a conference aimed specifically for newly-elected school trustees, is taking place January 25-26, 2019 in Vancouver, BC.

2018 marks the beginning of a brand new term for you and your board, and the **TRUSTEE ACADEMY** and **NEW TRUSTEE ACADEMY**, will help prepare you for a successful term ahead.

Registration of each event will open in the coming months, check the BCSTA website (www.bcsta.org) for updates.