

SCHOOL TRUSTEE CANDIDATE GUIDE



School District No. 23 (Central Okanagan)

CITY OF KELOWNA SCHOOL TRUSTEE BY-ELECTION 2021 – 1 VACANCY

THE CENTRAL OKANAGAN BOARD OF EDUCATION IS COMPRISED OF THE FOLLOWING:

City of Kelowna (1 vacancy)	4 Trustees
District of West Kelowna (City of West Kelowna, excluding Tsinstikeptum Indian Reserves 9 & 10)	1 Trustee
Zone I (District of Lake Country and Central Okanagan East Electoral Area of the Regional District of Central Okanagan)	1 Trustee
Zone II (The Corporation of Peachland, Central Okanagan West Electoral Area of the Regional District of Central Okanagan, Tsinstikeptum Indian Reserve 9, and Tsinstikeptum Indian Reserve 10)	1 Trustee



BY-ELECTION SCHEDULE 2021

SD23 Trustee Candidate Information Session	April 27, 2021 – 5:00 PM
Nomination Period	May 11 – 21, 2021
Campaign Period	May 29, 2021 – June 26, 2021
Advance Voting Days	June 16, 2021 and June 23, 2021
General Voting Day	June 26, 2021

Disclaimer:

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

CENTRAL OKANAGAN PUBLIC SCHOOLS OVERVIEW

Amended Annual 2020 – 2021 Budget: \$297,709,572

Over 4,000 employees

Serving 44 Schools:

- 31 Elementary Schools
- 7 Middle Schools
- 5 Secondary Schools
- 1 Alternate Education School

Partner Groups:

- Central Okanagan Teachers' Association (COTA)
- Canadian Union of Public Employees (CUPE)
- Central Okanagan Principals'/Vice-Principals' Association (COPVPA)
- Central Okanagan Parent Advisory Council (COPAC)
- District Student Council (DSC)

Trustee remuneration

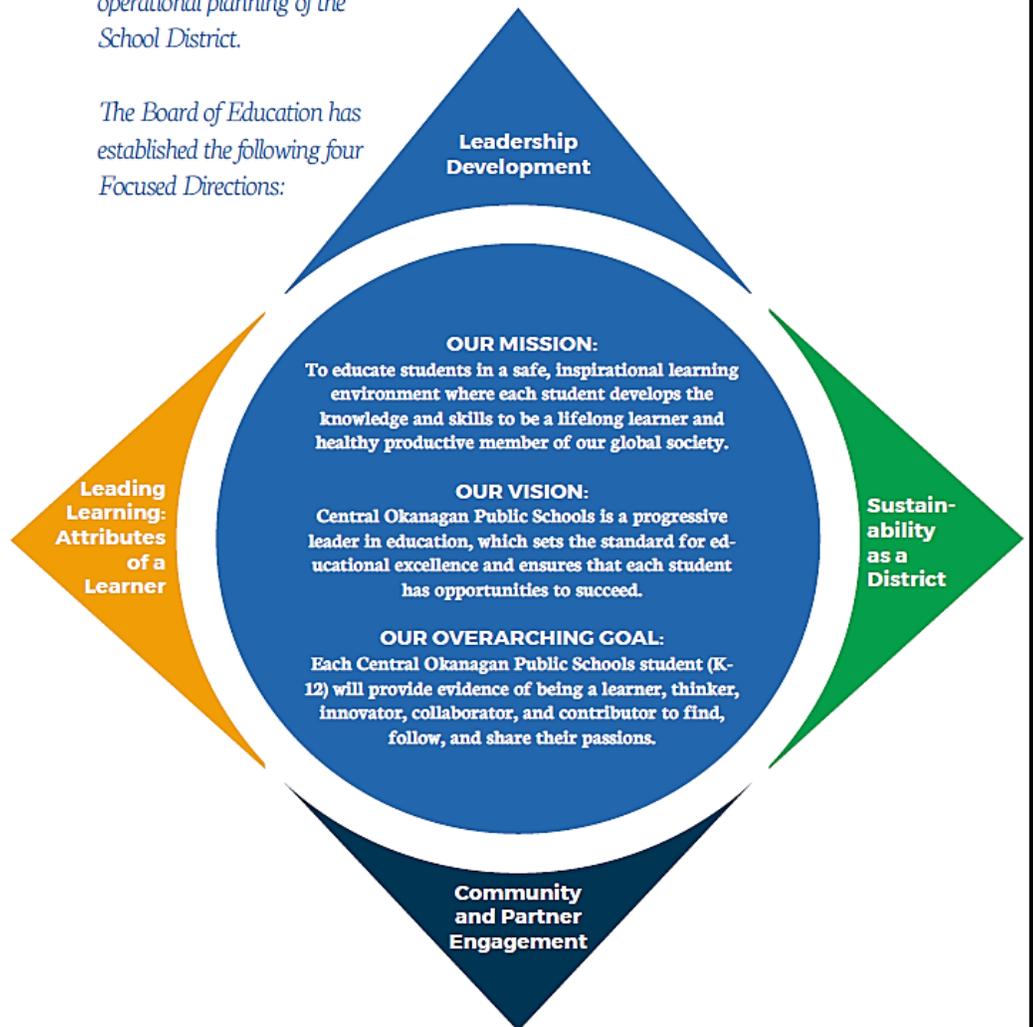
- Trustees \$21,650
- Vice-Chair \$22,865
- Chairperson \$24,713

BOARD OF EDUCATION STRATEGIC PLAN

FOCUSED DIRECTIONS TO SUPPORT THE BOARD OF EDUCATION MISSION, VISION, AND OVERARCHING GOALS

The Board's Strategic Plan drives the operational planning of the School District.

The Board of Education has established the following four Focused Directions:



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 BCPSEA and BCTF expires on June 30, 2022.

Boards will have a significant role to play to ensure their local priorities are heard during the next round of bargaining. BCPSEA (bcpsea.bc.ca) is the employers' association as well as the accredited bargaining agent for the province's 60 public boards of education.

▪ SUPERINTENDENT (CEO) AS THE BOARD'S KEY EMPLOYEE

A board's relationship with its superintendent of schools is the most important employment relationship in the district, and is central and critical to effective governance. The superintendent is the sole employee who reports directly to the board, with all other employees reporting directly or indirectly to the superintendent. The board is responsible for the recruitment, selection and performance evaluation of the superintendent.

▪ PERSONAL SERVICE CONTRACTS

The terms and conditions of employment for exempt employees of a district are outlined in each employees' personal service contract. While boards are responsible for the development and management of the superintendent's contract, the superintendent and secretary-treasurer have responsibility for managing the contracts of the district's other exempt staff.

▪ COLLECTIVE AGREEMENTS

A board, and individual trustees, rely on their administrative staff to implement collective agreements and maintain communication processes necessary for good employee relations.

▪ GOVERNANCE OF LABOUR RELATIONS

As the employer's representative governing body, a board is responsible for setting appropriate policy and establishing oversight for labour relations functions within its school district.



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 the board's bylaws, governance policies and codes of conduct. Candidates may wish to attend school board meetings or speak to existing board members to get an understanding of the process.
(<http://www.sd23.ca/board>)
- 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 trustee orientation program and BC School Trustees Association (BCSTA) learning events, 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.

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, and
- responding to telephone calls or e-mails, meeting requests and queries from parents or members of the community as a member of the board.

2021 MEETING DATES AND TIMES

<http://www.sd23.bc.ca/Board/boardmeetinginfo/meetingdatesandtimes/Pages/default.aspx>

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).

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 way 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."

FILING YOUR NOMINATION

You will submit paperwork to the local chief election officer. School District No. 23 requires a minimum of two nominators, and a \$100 deposit.

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.

KEY DATES

- May 11-21, 2021 - nomination period open
- May 21, 2021 - declaration of candidates
- May 25, 2021 - deadline for challenge of nominations
- May 28, 2021 - deadline for withdrawal of candidates
- May 29, 2021 – June 26, 2021 – campaign period
- May 31, 2021 - declaration of election by voting
- June 16, 2021 and June 23, 2021 – advance voting
- June 26, 2021 - general school election
- June 30, 2021 - declaration of official results
- July 13, 2021 - swearing in ceremony

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/electionsbcreources).

CAMPAIGNING

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

- Local government bylaws relating to signage,
- School district policy relating to political activities in schools,
- Ministry of Transportation's signs policy,
- Election advertising on the internet,
- Campaign rules applicable to general voting day.



IMPORTANT DATES

School District No. 23 (Central Okanagan) Trustee Candidate Information Session

Date: Tuesday, April 27, 2021
Time: 5:00 pm – 7:00 pm
Location: Via Zoom - please pre-register by emailing Secretary.Treasurer@sd23.bc.ca

RESOURCES

Ministry of Education – School Trustee Election Procedures in B.C.

<https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/school-trustee-election-procedures>

Please note: Friday, May 21, 2021, 4:00 pm, is the deadline for nominations.

BC School Act (Manual of School Law – K-12)

Relevant Sections, Part 4 – School Trustees:

- Division 3 – Elections (Page C-35)
- Division 5 – Election Proceedings (Page C-46)

<https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/manual-of-school-law>

Ministry of Education

www.gov.bc.ca/bced

Framework for Enhancing Student Learning

<https://www2.gov.bc.ca/gov/content/education-training/k-12/administration/legislation-policy/public-schools/framework?keyword=framework&keyword=for&keyword=enhancing&keyword=student&keyword=learning>

British Columbia School Trustees Association

www.bcsta.org

School District No. 23 (Central Okanagan)

www.sd23.bc.ca

- **District Mission Statement, Vision Statement and Cultural Values**
<http://www.sd23.bc.ca/Board/District%20Mission/Pages/default.aspx>
- **Role of School Boards**
<http://www.sd23.bc.ca/Board/role/Pages/default.aspx>
- **Trustee Handbook**
<http://www.sd23.bc.ca/Board/trusteehandbook/Pages/default.aspx>
- **Central Okanagan Board of Education Policies**
<http://www.sd23.bc.ca/Board/Policies/Pages/default.aspx>
- **District Long-Term Facility Plan**
<http://www.sd23.bc.ca/DistrictInfo/LongTermFacilityPlan/Pages/default.aspx>
- **Long Term Facilities Plan Review**
<https://sites.google.com/learn.sd23.bc.ca/sd23-ltfr-review/home>
- **Catchment Area Maps**
<http://www.sd23.bc.ca/Schools/catchment/Pages/default.aspx>
- **Meeting Dates and Times**
<http://www.sd23.bc.ca/Board/boardmeetinginfo/meetingdatesandtimes/Pages/default.aspx>

Elections BC

1-800-661-8683

<http://www.elections.bc.ca/>

Guide to Local Elections Campaign Financing in B.C For Candidate, Elector Organizations and their Financial Agents

<https://elections.bc.ca/docs/lecfa/guide-to-local-elections-campaign-financing-in-bc-for-candidates-and-their-financial-agents.pdf>

Resources for General Local Elections (Ministry of Municipal Affairs)

<https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/general-local-elections>

Candidate videos - Ministry of Municipal Local Government

<https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/general-local-elections/thinking-of-running>

Local Elections Legislation

- **Local Government Act**
http://www.bclaws.ca/civix/document/id/lc/statreg/r15001_00
- **Local Government Election Regulation, B Reg. 380/93**
http://www.bclaws.ca/civix/document/id/loo82/loo82/39_380_93a
- **Financial Disclosure Act**
<http://elections.bc.ca/docs/forms/DisclosureFactsheetWEB-MLAs.pdf>
- **Financial Disclosure Act Reg. 32/2001**
[http://www.bclaws.ca/civix/document/id/complete/statreg/235_96/search/CIVIX_DOCUMENT_ROT_STEM:\(%22Reg.%2032/2001%22\)%20AND%20CIVIX_DOCUMENT_ANCESTORS:96139?1#hit1](http://www.bclaws.ca/civix/document/id/complete/statreg/235_96/search/CIVIX_DOCUMENT_ROT_STEM:(%22Reg.%2032/2001%22)%20AND%20CIVIX_DOCUMENT_ANCESTORS:96139?1#hit1)
- **Local Elections Campaign Financing Act**
<http://www.bclaws.ca/civix/document/id/complete/statreg/14018>
- **Local Elections Statute Amendment Act**
<https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/14019>