



**ONTARIO PUBLIC
SCHOOL BOARDS'
ASSOCIATION**

Leading Education's Advocates

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PES Panel: Changes to the 2018 Municipal and School Board Elections
Q&A Session – Summary

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Q. How does a city clerk confirm a nomination?

Interested candidates must file nomination papers in the office of a municipal clerk and pay the prescribed fee of \$100 for a school board trustee candidate. The nomination paper must have original signatures and the candidate may have to show proof of identity and qualifications. Candidates will be required to sign their nomination papers indicating they have met the qualifications and are eligible to run.

Q. With large area boards, how do clerks correlate their information between different municipalities to ensure there is no duplication and compliance with the Municipal Elections Act?

A. Municipal Clerks in areas where large board catchment areas exist are in regular contact and are used to sharing results and information in order to ensure accuracy in voting.

Q. Who funds elections, including by-elections?

A. The costs incurred in conducting an election are paid by the local municipality. By-elections are paid for by the local school board. Recounts, if ordered by the school board by virtue of policy or Board motion, are paid for by the local board. Recounts required due to a tie vote or that are court ordered are paid for by the local municipality.

Q. Who determines the date of a by-election?

Once a school board decides to hold a by-election, the municipal clerk is in charge of conducting the by-election and determining nomination day and voting day. There are timelines associated with the establishment of these dates. These timelines are set by the *Municipal Elections Act*. Wherever possible, the municipal clerk and school board are encouraged to work together to discuss the dates in advance to identify and avoid possible conflicts.

Q. What happens if there is a tie?

If two or more candidates receive the same number of votes and they all can't be elected (i.e. not an at-large position), then there is an automatic recount. This must be held within 15 days of the clerk declaring the results of the election. Boards may implement a policy regarding recounts. If Boards are considering recount policies, they are encouraged to speak with the Municipal Clerk(s) responsible for the administration of the election in their area as these types of policies impact the work of Municipal Clerks. The costs associated with a recount required by Board policy is the responsibility of the school board.

Q. Can secondary students participate in the election campaign for a trustee and receive volunteer hours?

A. Secondary students may choose to earn their Community Involvement Hours by participating in a legitimate election campaign. It is strongly recommended that students not volunteer for a candidate seeking election for their local school board. Any campaign or election activities must be done outside of

school hours and not on school property. Municipalities may need volunteers to support “non-partisan” election administrative work and this may also be an opportunity for students to get involved in the election event. Municipal Clerks and the municipal websites often have information relating to volunteer support required.

Q. How do school boards and municipal clerks collaborate before, during and after an election?

A. Many clerks and school board staff meet regularly to discuss election issues, including sharing candidate information, election resources, election policies, and the use of schools as polling stations. After the election, representatives from the municipality and school board meet to debrief and discuss how to improve for the next election.

Q. What must a candidate do if they wish to withdraw their name from the election prior to voting day?

A. If a candidate decides to withdraw from the election, they must notify the clerk in writing no later than 2 p.m. on nomination day (Friday, July 27, 2018). A candidate who withdraws is still required to submit a completed financial disclosure covering all financial transactions made up to the date the nomination was withdrawn. A candidate who withdraws is entitled to have their nomination fee refunded if they file their financial statement by the filing deadline.

Q. In my electoral area, there are five municipalities, one that is the “designated lead” municipality. How is this determined?

A. Most often this is determined by the municipality with the most voters that are designated as that Board’s supporters. Municipalities in that situation will report their results to the municipality with the most school board supporters.

Q. What are the rules about sitting trustees during the campaign (use of board resources, school property etc.)

A. Boards are now required to establish rules and procedures with respect to the use of municipal or board resources. Most policies would recommend that trustees are not to use any of their Board office or school board issued resources (including staff) for any campaign-related purposes. This includes displaying election-related materials in Board offices, remarks at board meeting, or school-related events.

Q. What is the contribution limit a candidate can receive from individuals?

A. Individual contributors can only give up to \$1,200 to any one candidate in an election. Furthermore, an individual contributor cannot make contributions exceeding \$5,000 to two or more candidates for office on the same Council or local board.

Q. I live in one of the several municipalities that cross over my school board boundaries, can I run for any trustee position (i.e. electoral area/ward)?

A. Yes, you can run for any (electoral area/ward) position as long as you meet the eligibility requirements and are a resident within the jurisdiction of the board.

Q. Our Compliance Audit Committee has many frivolous/vexatious complaints to investigate which costs a great deal of money. How can these committees deal with these early on?

A. Committee members have the power to determine a complaint’s merit and whether or not an investigation should occur. The meetings of the committee are open to the public, but the committee may deliberate in private. Compliance Audit Committees must give brief written reasons for decisions.

Q. Under the new requirements for Conflict of Interest, do I have to write down my conflict at the beginning of each meeting?

A. These changes come into effect March 1, 2019. OPSBA is connecting with the Ministry of Municipal Affairs and the Ministry of Education to determine if a repeat or common conflict can be written at the beginning of the school term and kept on file in the municipal/school board registry.

Q. Is there a way to receive or have school board trustee election results posted sooner on Election Day?

A. Clerks do their very best to provide “unofficial” results as soon as possible. There are 444 municipalities in Ontario that vary in geography, number of electors and use of technology. OPSBA will be coordinating with “Lead” municipal clerks to gather results.

Q. Are there new rules in place for contribution limits by unions?

A. Corporations and trade unions are no longer permitted to give contributions to candidates running for council or for school board. They can still give contributions to third party advertisers. The limit for contributions to third party advertisers is \$1,200 to any one registered third party advertiser, and \$5,000 in total to third party advertisers who are registered in the same municipality.

Q. Who needs to collect 25 signatures of endorsement?

A. This is only applicable to municipal candidates, with an exemption for those with municipalities with 4,000 or less electors.

Note: This document was created by OPSBA and based on the Question and Answer session from the 2018 Public Education Symposium session entitled, *Changes to the 2018 Municipal and School Board Elections*.