

# THE BCSTA GUIDE FOR 2011 SCHOOL TRUSTEE CANDIDATES



<b>Introduction</b>	<b>1</b>	Tracking your finances	6
<b>Welcome</b>	<b>2</b>	Contributions	7
<b>What does a trustee do?</b>	<b>2</b>	Expenses	7
<b>Trustee electoral areas</b>	<b>2</b>	After the campaign	7
<b>Filing for nomination</b>	<b>3</b>	Remaining balances	8
Board of education employees	3		
Key dates	3		
Filing your nomination	3		
Legal witnessing	4		
Financial interests	4		
It's your responsibility	4		
<b>Campaigning</b>	<b>4</b>		
All-candidates' meetings	5		
Speak up!	5		
<b>Legal requirements for campaign financing</b>	<b>6</b>		
Prior to the campaign	6		
Campaign organizers	6		

## Introduction

Congratulations on making the commitment to run – or run again – for school trustee. Here's what you need to know as you embark on your campaign. Check with your school district; most districts have candidate information packages that include information about and copies of the forms you will need.

Local governments and boards of education 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.

Lastly, please view the *BCSTA Guide to 2011 Board of Education Elections* as a guide, not a legal document.

## Welcome

Local 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.

BC is a large and diverse province with different priorities, needs, and special requirements in a variety of areas. School trustees work through their boards to address these local needs.

Trustees serve as liaisons to various community groups and organizations, reporting back to the rest of the board. In some districts, they may be named as liaisons to schools in their district and attend Parent Advisory Council meetings at these schools.

The British Columbia School Trustees Association (BCSTA) is a provincial voice for trustees and school districts in our province. We offer trustees and school districts support and act as a provincial advocate for public education.

We wish you success in your campaign and look forward to working with you in the coming term.

## What does a trustee do?

When an individual is elected as a trustee, he or she becomes one member of a governing board, responsible for ensuring that the community's priorities are represented in public education. It is the board as a whole that has legal authority, not any one individual trustee or the board chair.

The *School Act* outlines the primary functions of boards of education, including:

- Attending board and committee meetings
- setting local policy for the effective and efficient operation of schools
- employing the staff necessary for school district operations, such as teachers, school principals,



supervisory personnel, aides, clerical and administrative personnel, custodians, building maintenance staff, bus drivers, etc.

- establishing conditions of employment for employees: this takes place within the framework of collective bargaining for unionized staff, including a provincial/local system of bargaining for teachers
- preparing and approving the school district's operating budgets and capital plans
- hearing appeals from parents and students where a staff decision significantly affects a student
- approving local courses and resource materials for use in the school district
- approving annual school plans
- and preparing district literacy plans and achievement contracts to improve student achievement.

## 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) is determined by the Minister of Education to fairly 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.

Other district trustee electoral areas may be composed of:

- one or more municipalities
- a combination of municipalities and rural areas, and rural areas only; and,
- some trustees elected at large and others elected from smaller trustee electoral areas.

In some communities, interested electors have formed elector organizations that endorse candidates. These elector organizations do not need to be incorporated or registered political parties, but they must have been in existence for at least 60 days before the endorsement and have at least 50 members who are qualified electors in the trustee electoral area.

## Filing for nomination

If you want to run for board of education, you must be a Canadian citizen who is 18 years old by election day. You must have been a BC resident for at least six months.

You must not be legally disqualified from voting or from seeking or holding office. For example, if you ran in a local government or board of education election in 2008 or a later by-election and did not properly file your campaign financing disclosure forms, you are legally disqualified from being nominated or elected in 2011.

You don't have to live in the trustee electoral area where you are seeking election. However, your nominators have to be qualified voters in that trustee electoral area, which usually means they have to live there.

If you are endorsed by an elector organization, you must also submit an endorsement by a director or other official of the elector organization, along with your written statement that you accept the endorsement.

Some boards also require nomination deposits of up to \$100.

### 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 notify the board of your intention to run. Then, starting on the first day of the nomination process, you must take a leave of absence from work while running, and resign from your district if you are elected.

If you are a board of education 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.

### Key dates

This year, nominations will be accepted from October 4 to October 14. The deadline for nominations is extended to October 17 if there are not enough candidates nominated in a trustee electoral area by that time.

### 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, somewhere from two to 25. Confirm with your local election officer that you have the correct number.

The nomination form must include your full name and—if different from your legal name and you want it to

appear on the ballot—your usual name. The form should also include your residential and mailing addresses and, in some communities, your home telephone number.

In addition to candidate information, BCSTA will promote trustee elections and offer candidate contact information in the Elections section of our website. This section is a resource to the electorate, media, and school districts throughout the campaign period. If you would like your contact information listed, please ensure that you sign and return the release of information provided in your candidate's package.

The documents should state you are running for the position of school trustee.

If you have been endorsed by an elector organization, include the name of the organization, so it can appear beside your name on the ballot.

Nominators must also include their names and residential addresses and a written statement saying that, to the best of their knowledge, you qualify to be nominated.

You must also sign a consent stating that you intend to accept the office if elected. This may be part of the nomination form or a separate document.

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### Legal witnessing

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The candidate's declaration that is part of the nominations package needs legal witnessing in person. You must solemnly declare that to the best of your knowledge you qualify to be nominated and that all of the information in your nomination documents is true.

A solemn declaration is a declaration made on oath or by solemn affirmation, signed by you, and witnessed by the appropriate local government officer, the chief election officer, a lawyer or notary. It may be made in advance or taken by the chief election officer when you deliver your nomination documents.

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### Financial interests

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You must also include a [written disclosure of your financial interests](#), as required by section 2(1) of the *Financial Disclosure Act*.



This statement must provide details of both your corporate and personal holdings and is designed to help you avoid conflicts of interest.

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### It's your responsibility

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You alone are responsible for 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 of October 14.

If you file by fax, the chief election officer must receive the originals by the end of the business day on October 21.

Other nominees, electors and the chief election officer may challenge nominations and endorsements until October 18.

On October 24, the chief election officer will officially declare all nominees who have met the requirements as candidates for the board of education election.

## Campaigning

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/blog
- All-candidates' meetings

Campaign resources include:

- [BCSTA](#)
- [Civicinfo BC](#)
- [Ministry of Community, Sport and Cultural Development \(MCSCD\)](#)
- [School Trustee Election Procedures in British Columbia](#)

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### All-candidates' meetings

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In preparing for all-candidates' meetings and for campaigning generally, 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 (visit [www.bcsta.org](http://www.bcsta.org) for more information) and monitor the media to gain an awareness of both regional and provincial issues in education. Ensure 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.

Here's an [on-line list](#) of BC community newspapers.

In preparation for a debate, ensure that you know key facts about your district. Information you should know includes:

- Student population: numbers and demographic information
- Schools: where they are and their strengths and challenges
- Budget: previous years' budget information.

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### Speak up!

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Usually, candidates are given an opportunity to speak for a couple of minutes at the start of an all-candidates' meeting. Write out your entire speech ahead of time and practise it in front of a spouse, friend or even the bathroom mirror. Practise speaking into a microphone.

With limited time to speak, ensure that you are concise. This is a time to clearly communicate why you decided to run for school trustee.

When answering questions, whether at an all-candidates' meeting, with a reporter, or at a voter's front door, use factual and credible points that are not open to misinterpretation. If you don't know an answer, say so.

Stay on point – remember why you are running and what is important to you.

Helpful public speaking tips:

- Avoid distracting behaviours, like shifting from foot to foot, which may be obstacles to a listener
- Ensure that you speak clearly and at a reasonable pace
- Avoid reflexive language like *uhmm* or *ahhhh*
- Project your voice
- Look at your audience.

## Legal requirements for campaign financing

### Prior to the campaign

School trustee candidates are governed by the same campaign financing rules as are local government candidates. They are found in Division 8 of Part 3 of the *Local Government Act*. What follows is a summary, to provide you with an outline of your obligations.

Even before you file for nomination, you must keep track of all of your election-related expenses in order to include them on your disclosure statement, after the election. It is extremely important to keep scrupulous financial records. Mistakes could result in you losing office, being disqualified from running in future elections, being fined or even imprisoned.

The campaign financing disclosure rules apply to you from the time you accept a contribution or make an expenditure with the intention of seeking endorsement or election, even if you don't file nomination papers.

Campaign financing rules are complex. They are [described in more detail](#) in *Candidate's Guide to Local Elections in BC* and *Elector Organization Guide to Local Elections in BC*.

### Campaign organizers

There are requirements for campaign financing disclosure applying to groups or individuals that participate in trustee and local government election campaigns as campaign organizers. A campaign organizer is an organization (other than an elector organization) or an individual (other than the candidate) who undertakes a campaign that augments or operates in place of a candidate's or elector organization's campaign. The campaign could be to:

- support a candidate's election
- to oppose another candidate
- to support or oppose the selection of a person to be endorsed by an elector organization

- the organizer could be supporting or opposing a course of action advocated or opposed by a candidate, an elector organization or the campaign organizer itself
- to promote or oppose an elector organization, a campaign organizer or its program.

An individual is not a campaign organizer if he or she only participates to support the election of an individual candidate, or if he or she does not accept or intend to accept financial contributions to the campaign.

Like candidates and elector organizations, campaign organizers must also appoint individuals as financial agents and notify the chief election officer of that appointment. The financial agent must open separate campaign bank accounts. The same requirements apply for accounting for contributions and expenses, including the restrictions against anonymous expenses. Campaign financing disclosure requirements apply if the campaign organizer receives or expends more than \$500.

### Tracking your finances

You must:

- set up a separate bank account used exclusively for election contributions and expenses
- all contributions and expenses have to go through that account
- keep strict records of expenses and contributions connected with your campaign, even if they occurred prior to your official nomination
- keep track of any cash or in-kind donations, including your own. You must also keep track of any discounts you receive -- for example, discounts on the printing costs of your campaign flyers -- because the difference between the usual and discounted price is counted as an election contribution.

After the election, you will be required to disclose this information, whether you win, lose or are acclaimed.



Consider appointing a financial agent to handle all of your financial matters. If you do appoint an agent, you must send notice of that appointment, in writing, to the chief election officer for your community. You will be considered your own financial agent if you decide you will not appoint an agent.

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### Contributions

- Records of contributions must include the name and address of the contributor, as well as the date and amount of the contribution.
- Anonymous donations of up to \$50 from one source may be recorded as anonymous.
- Candidates are not allowed to accept anonymous donations of more than \$50: these must be paid—in the full amount, not just any amount over the first \$50—to the school district.

In your record-keeping, classify contributors as individuals, corporations, unincorporated organizations engaged in business or commercial activity, trade unions, non-profit organizations or other contributors. If the contributor is a numbered corporation or an unincorporated organization, you must record the full names and addresses of at least two individuals who are directors of the organization. If there are no individual directors, list the names of two principal officers or principal members of the organization.

In determining the value of other contributions—such as goods or services—fair market value is the standard. Some services, however, are seen as having no value, for the purposes of itemizing election contributions. An example would be volunteer services, unless the volunteer normally charges for such services.

Other goods and services that are deemed to be of no value include:

- the services of a financial agent; professional services provided to comply with statutory requirements of the election
- free advertising space in a periodical publication when space is made available on an equitable basis to other candidates.

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### Expenses

An “expense” includes any expenses incurred by you or your campaign staff or volunteers in your campaign. This includes campaign flyers, newspaper advertisements, campaign signs and buttons and campaign meals. Your campaign expense record must include:

- the nature of the expense (e.g., flyers)
- the date the expense was incurred, and
- the amount spent, or the value of the in-kind contribution used.

Remember that your campaign financial information must include contributions and expenses from your own campaign fund-raising events. You must record how much the fund-raiser cost to put on, the amount of money you received through ticket sales or other means, and the value of any contributions in-kind.

If you sell tickets to the event, you must record the names of the people who bought tickets, but not the names of the people who actually attended. And if you collect cash donations at the event, you must record the names and addresses of those who donate more than \$50.

If another organization is collecting contributions or paying expenses to support your campaign, it will have to meet the requirements applicable to “campaign organizers.”

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### After the campaign

Your legal requirements regarding finances don’t end after the ballots have been counted. You, or your financial

agent, must file a disclosure statement within 120 days after the election, whether you were elected, defeated or acclaimed, received no contributions or had no expenses, withdrew from the election, were declared by a court to no longer be a candidate, or even died! Such statements must be filed with the board's secretary treasurer and include:

- the total amount of campaign contributions
- names, dates, amounts of contributions, class of contributors, and names and addresses of at least two individuals who are directors or principal officers/ members if the contributor is a numbered corporation or an unincorporated organization for contributions of \$100 or more
- date and amount of anonymous contributions over \$50 paid to the school district
- for any other contributions, the total value received and the total number of contributors from whom they were received
- total amount of election expenses
- any transfer of the candidate's surplus election funds received from the municipality or regional district
- any balance or deficit in the candidate's election funds on the day the report is prepared, and, any surplus in the election funds, and how that surplus was dealt with
- names and addresses of banks where campaign accounts are held, and
- must include detailed information about bank accounts, contributors, expenses, surplus funds, endorsements of elector organizations.

If campaign financing information changes or is found to be inaccurate after the disclosure statement is filed, you must file a supplementary report. If you don't you can be disqualified from office or from running in the next election.

If you were endorsed by an elector organization, both you and the elector organization must also file disclosure forms. Campaign organizers must also file.

If your expenses were more than \$3,000, your disclosure statement must also include:

- the total amount of election expenses paid as compensation for personal services by individuals
- the total amount of election expenses used for transportation
- the total amount of election expenses other than those noted in (a) and (b)
- the total amount of debts, if any, owed for election expenses that remain unpaid
- the total amount of debts, if any, owed for election expenses that remain unpaid and for which the creditor has commenced legal proceedings to recover the debt.

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### Remaining balances

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If there is still a balance remaining in your candidate campaign account after the election and your campaign expenses have been paid, deal with that amount as follows:

- If you made contributions to your own election campaign, your financial agent may refund that amount to you, as far as the remaining funds permit.
- If, after you have received a full refund, the total balance in the account is less than \$500, your financial agent may pay the balance to you or in accordance with your directions (for example, to a charity).
- If, after you have received a full refund, the total balance in the accounts is \$500 or more, your financial agent must pay the balance as soon as practicable to your board of education. These funds must be held in trust; if you run in the next board general or by-election, the funds must be paid to your financial agent for use in the election. If you choose not to run at that time, the funds become part of the general revenue of the board of education.

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