Introduction

In Canada, education is a provincial responsibility. In Manitoba, the responsibility for the delivery of public education to students in kindergarten through to high school graduation has been delegated to school boards.

School boards are elected bodies responsible for the planning and delivery of educational services within geographic regions known as school divisions or school districts. For practical purposes, there is no difference between a division or district. Provincial legislation in the form of the Public Schools Act and the Education Administration Act defines the structure, obligations and responsibilities of school boards; within the bounds imposed upon them by this legislation, school boards are themselves a law-making level of government.

The primary function of a school board is the determination of policy. A school board sets policy through the decisions it makes at public meetings. School boards also hold regular committee meetings, at which committee members consider specific aspects of school board business.

Preparing for and participating in school board and committee meetings are the main functions of a school trustee. School trustees have the same rights as every other elector in the division or district, plus the right to speak and vote at school board meetings. A school trustee has authority only insofar as his or her voice and vote influence the corporate action of the school board. An individual trustee has no authority to act alone unless the board as a whole specifically delegates a responsibility to that individual.
On Becoming a School Trustee

Elections for the office of school trustee are held every four years, in conjunction with municipal elections, on the fourth Wednesday in October.

School board elections are, for the most part, governed by the same legislation that guides municipal elections: the Local Authorities Election Act, the Municipal Act, and, for divisions in Winnipeg, the City of Winnipeg Act. Any differences between the conduct of school board and municipal elections are the result of specific provisions in the Public Schools Act, which is the provincial legislation that governs school board operations.

Qualifications

Section 22 of the Public Schools Act outlines the qualifications of a candidate for the office of school trustee.

A person is qualified to be nominated for and elected as a trustee of a school board, if the person

(a) is a Canadian citizen;
(b) is of the full age of 18 years, or will be at the date of the election;
(c) is an actual resident in the school division or school district, and will have been so for a period of at least six months at the date of the election; and
(d) is not disqualified under any other provision of this Act or under any other Act, and is not otherwise by law prohibited from being a trustee or from voting at elections in the school division or school district.

Candidates for school board office must actually reside in the school division or district for which they are seeking election; they are not eligible for office if they are non-resident property-owners or rate-payers. However, individuals do not need to be residents of the specific ward in which they wish to run, as long as they do reside within the division or district as a whole.

Section 227 of the Public Schools Act contains a provision of the sort referred to in (d), above, which further limits the ability of some individuals to run for school trustee:

No employee and no pupil in regular attendance at school shall be a trustee of the school division or school district of which he is an employee or pupil.
This section does not prohibit a school division or district employee or pupil from running for office in another jurisdiction, nor does it prevent the spouse or other family member of an employee or pupil from becoming a school trustee. Where such situations do exist, or where a trustee has a business or monetary interest, conflict of interest requirements may curtail an individual’s right to take part in the decision-making process on certain matters. Conflict of interest legislation, as it affects school trustees, is found in Sections 36 to 39 of the Public Schools Act, and is very similar to that which binds municipal councilors. It exists to protect the integrity of the educational system, and to ensure that no individual uses or appears to use his or her position of trust for personal gain.

Once elected, school trustees will normally hold office until the expiration of their term, at which time they must decide whether to seek re-election. There are, however, circumstances in which a trustee’s seat can be declared vacant. These are outlined in Section 39.8 of the Public Schools Act.

A school board of a school division or school district shall declare a seat vacant and . . . order an election to fill that seat when the trustee elected to that seat:

(a) is deceased; or
(b) has submitted a resignation in writing to the secretary-treasurer of the school division or school district; or
(c) has failed to attend three consecutive regular meetings of the school board without authorization of the school board by resolution recorded in the minutes; or
(d) has been disqualified from holding office under this Act; or
(e) ceases to be a resident of the school division or school district.

If potential candidates for office doubts their ability to attend meetings on a regular basis (usually a minimum of twice a month), or if they plan to move beyond the boundaries of their school division or district in the immediate future, they may want to reconsider their decision to run for office.
Conduct of School Board Elections

Within the City of Winnipeg

The nomination and election of school trustees is conducted by the City of Winnipeg for suburban school divisions. The City Clerk’s Department produces a reference document that contains information on the conduct of trustee elections which is unique to candidates in these divisions. This document should be consulted by all candidates seeking office in metro Winnipeg. The information is also available on the internet at the City of Winnipeg website (www.city.winnipeg.mb.ca).

In 2002, the deadline for filing nomination papers for school trustee positions within the city of Winnipeg is 2:00 p.m. on Wednesday, September 25. Nomination papers are available from the City Clerk’s Department, or from your local school board office.

For all other school divisions and districts

Once an individual has decided to run for the office of school trustee, the next step is to file nomination papers. These papers can be picked up at the local school board office.

In order to be nominated, a candidate must obtain the signatures of 25 electors of the ward in which he or she will be running, or 1% of the electors of the ward, whichever is the lesser. Those electors signing the nomination papers must reside in the ward in which the candidate is seeking election.

Once the necessary signatures are obtained, and other supporting documentation is completed, these papers must be filed with the division or district returning officer during the legislated nomination period. This is specified in the Municipal Act as “the seven days before the first Wednesday in October during the regular business hours of the [school division or district] on the days the offices of the [school division or district] are normally open” [Municipal Act, 98(1)]. In 2002, that means that nominations must be received by the close of business on Tuesday, October 1. The school board office will be able to tell candidates where the nominations will be received.

The conduct of the actual campaign is up to each individual candidate. Campaigning methods may include any or all of door-to-door canvassing, publication and distribution of brochures, newspaper advertisements and posters. The Local Authorities Election Act does, however, restrict the distribution of brochures and the posting of signs within the immediate area of any polling station on election day (LAEA, Sections 129.1 and 129.2). As well, groups such as teachers and parent councils often organize town-hall meetings, in which voters are given an opportunity to question candidates, and candidates an opportunity to share their viewpoints.
Candidates are responsible for raising any funds required for the conduct of their campaigns. Funds expended on school board elections are not tax deductible for candidates, nor are contributions made to a candidate’s campaign tax deductible for the donor.

**The Role of School Boards and School Trustees**

The smallest of Manitoba’s school divisions and districts serve a few hundred public school students, while the largest serves well over 30,000. School board size ranges from five to nine trustees (with two exceptions, where legislation allows for eleven members), and both the size and the nature of the area they represent vary tremendously. This variation can have a significant impact on the way in which education is provided and school boards function. Despite these differences, however, there are some characteristics which are common to all school boards when they are functioning effectively.

Effective school boards make every effort to encourage public attendance at their meetings and keep constituents informed of the division or district’s progress. Effective school boards enact major policies only after all sides of the matter have been studied, and all persons or groups affected have been consulted. An effective board attempts to reach decisions that all its members can support, difficult as that may sometimes be. This attempt to achieve consensus stimulates greater unity and teamwork than simple majority rule. Effective boards are efficient—their procedures for conducting business are appropriate to their needs, and they do not waste time on trivia. And most importantly of all, effective boards know that they are in the business of education. They talk about education, and base their decisions on educational needs. In view of the many non-educational pressures bearing on them, it is perhaps the biggest challenge facing school boards today.

Just as there is no “typical” school board in Manitoba, so too there is no typical school trustee. Board members represent all age groups, all levels of educational attainment, and all occupations. Effective board members do, however, share some very important characteristics.

Effective board members are characterized by the ability to work as members of a team. They maintain an open mind, and have the ability to engage in give-and-take and to arrive at a decision. They know that authority rests with the board as a corporate body, not with individual trustees, and that they must work with their colleagues in order to achieve their goals. They are willing to spend the time required to become informed and to do the homework needed to take part in effective school board meetings. They share a strong desire to serve children and their community, as well as a strong belief in the value of public schools. Effective board members also respect the needs and feelings of other people, and have a well-developed sense of fair play. They recognize that the school division or district they serve may be one of the largest businesses in town, and that the board is responsible for seeing that that business is well-managed.
Duties and Powers of School Boards

The Public Schools Act defines both the “duties” (those things “every school board shall” do) and the “powers” (those things “a school board may” do) of school boards in Manitoba. School board duties are standard throughout the province; combined, they ensure a basic level of public school education to which all Manitobans are entitled. At the same time, school boards may differ on which “powers” they chose to exercise. In this way, they develop schools that are unique in the ways they reflect the values and concerns of the community they serve.

School boards are responsible for providing adequate school accommodation for students between the ages of 6 and 21, and for employing the necessary teachers and other staff. The board has the responsibility of determining the number, kind, grade, and description of schools to be established, and the manner in which pupil progress will be reported. The school board must authorize the spending of divisional or district funds, and ensure that the proper financial reports are maintained and published or distributed as required. If a program of study is not offered within a division or district, a school board is responsible for paying certain costs associated with a student undertaking that program of study as a non-resident student in another jurisdiction. As well, the school board may be required to provide transportation for students to and from school, if those students reside a minimum distance from their school, or if students have physical or other handicaps that render them unable to walk to school.

The list of what a school board may do is varied. It includes the provision of nursery schools or kindergarten for children between the ages of 3 and 6, as well as evening and summer school. A school board may choose to provide lunch for its pupils, either with or without charge. A board, with the consent of the Minister of Education and Training, may establish and administer a system of dental and medical inspection of pupils and employees. A school board also has the authority to enter into agreements with other school boards, government agencies or departments, or municipalities, to provide certain facilities or services to its pupils.
Conduct of School Board Business

The primary function of a school board is the determination of policy. These policies are, in effect, the laws under which a division or district operates. Implementation of that policy—that is, the day-to-day management of school business—is the role of the administrative staff hired by a school board.

A school board sets policy through the decisions it makes at public meetings. The Public Schools Act provides that “An act or proceeding of a school board that is not done or taken at a regular or special meeting of the school board, is not valid or binding on any person affected thereby” (Section 35). Combined with the requirement that “Every school board shall hold its meetings openly, and no person shall be excluded or removed from any meeting except for improper conduct” [Section 30(3)], legislation assures that school board business is conducted in an open manner.

In addition to full school board meetings, trustees also attend the meetings of any committees on which they serve. Most school boards have a number of standing committees that deal with matters such as finance, personnel, curriculum, and facilities. Special or ad-hoc committees may also be appointed from time to time to deal with special projects or emerging issues. Unlike regular or special school board meetings, committee meetings do not have to be held in public, but may be held in-camera. These committees rarely make final decisions themselves. Their role generally is to investigate, deliberate, and report back to the full board. The board then has the option of adopting the recommendations of the committee at its public meeting, modifying any proposed course of action, or rejecting a committee report outright.

One special committee that is used on occasion is the Committee of the Whole. Membership on the Committee of the Whole is the same as membership on the board—that is, all of a division’s or district’s trustees. The difference between a Committee of the Whole meeting and a board meeting is twofold: firstly, a meeting of the Committee of the Whole may be held in-camera, and secondly, the board, when sitting as the Committee of the Whole, cannot make any decision that is legally binding. The Committee of the Whole functions in much the same manner as any other committee; it submits its report to the board in public session, and the board then acts upon the report. The Committee of the Whole is an important instrument in that it allows the board to discuss thoroughly issues which it believes should not be debated in public, while still making the final decision in a public meeting. Two examples of issues which are often discussed in Committee of the Whole are staff or student discipline as it relates to individuals, and land acquisitions.
The decisions made by a school board at its meetings set the direction for the school division and district. The school board employs administrators to see that this direction is implemented in an effective and efficient manner. The two most senior administrators of a school division or district are the superintendent and the secretary-treasurer. By law, all school boards must employ a secretary-treasurer; he or she is the chief financial officer of the division or district. In addition, most school boards employ a superintendent, who is the division or district’s chief educational officer. In some instances, both positions are held by the same individual. The *Public Schools Act* lists those responsibilities which a school board may delegate to its secretary-treasurer or superintendent. An effectively managed school division or district is one in which the senior administrators and school board work closely together, each respecting and drawing upon the other’s areas of expertise.

Preparing for and participating in school board and committee meetings are the main functions of a school trustee. Although school trustees do not receive a salary for time spent on school board business, they do receive a payment referred to as an indemnity. This indemnity varies in amount from several hundred to several thousand dollars a year. Along with reimbursement for out of pocket expenses incurred by trustees in the course of school board business, this indemnity ensures that trustees are able to serve in that capacity without experiencing undue financial hardship.
The Manitoba Association of School Trustees

The Manitoba Association of School Trustees (MAST) is a voluntary organization of public school boards in Manitoba. Its purpose is summed up in the Association’s mission statement:

*The Manitoba Association of School Trustees exists to ensure quality public school education for Manitoba students through effective, locally-elected boards of trustees.*

Specific Association goals and objectives are contained in the *MAST Act*, the provincial legislation which gives life to the Association. The objectives of MAST are:

- to promote and advance the cause of education in the province;
- to arouse and increase public interest in educational affairs;
- to engage in research and study of matters of educational policy;
- to promote efficiency and improvement in the fulfillment of the duties of trustees and the exercise of the powers of trustees under the laws of Manitoba;
- to cooperate with Manitoba Education and Training and with other organizations in Canada or elsewhere having aims and objectives the same as, or similar to, those of the Association; and
- to take any measures that the Association deems necessary or advisable to give effect to any policy adopted by it with respect to any question directly or indirectly affecting the purpose and objectives of the Association.

MAST strives to meet these goals and objectives by offering a wide range of direct services to member boards, and by providing a strong voice with which the views and concerns of Manitoba’s public school trustees can be expressed.

The school divisions and districts that are members of MAST are grouped into six regions. Each year, the boards that make up each region meet to elect one or more Directors, for a total of seven representatives on the MAST Provincial Executive. Other members of the Executive include the President and two Vice-Presidents, who are elected at the Association’s Annual Convention each March, and the immediate Past President. The eleven-member MAST Provincial Executive governs the Association between Conventions.

The MAST Office is located at 191 Provencher Boulevard in Winnipeg. As well as offices for the Association’s President and staff, the building houses a boardroom and seminar room where meetings of the Executive and MAST Committees are held.
The MAST staff is divided into three departments.

*The Administration Department* is responsible for the general administration of the Association, and for ensuring the implementation of the policies and instructions of the MAST Executive. The MAST Administration Department provides support services to the MAST Executive and many of the MAST committees. It also carries out the accounting functions of the Association. The risk management and general insurance programs are administered through this department.

*The Labour Relations Department* is responsible for providing labour relations and personnel services to member school boards in the capacity of advisor, coordinator, and agent. The MAST Labour Relations Department assists member boards in the maintenance of good employer-employee relationships through the establishment of fair and reasonable salaries, benefits, and working conditions.

*The Education and Communication Services Department* is responsible for MAST’s trustee professional development program, communications with school boards and the media, and for addressing the educational priorities of the Association. The department oversees the production of the publications and news releases, and maintains the MAST library and policy information service.
Questions?

Some of the questions we are asked most frequently at the MAST office, and their answers, are listed below. If you have questions about trusteeship or the contents of this document, please contact us. We can be reached by phone at 233-1595, or toll-free at 1-800-262-8836. You may also want to visit MAST’s website at www.mast.mb.ca.

If you have questions that are specific to your own school division or district, contact the school board office. The phone numbers and addresses are listed at the end of this document.

Question: Who are public school trustees?

Answer: Public school trustees come from all walks of life. They are retirees, homemakers, professionals, tradespeople, university students—the list goes on. What these people do have in common, however, is a sincere interest in children and education, and a desire to serve their communities.

Question: When are school board elections held?

Answer: School board elections are held every four years, on the fourth Wednesday in October. This is the same time as most municipal elections. In 2002, school board elections will be held on Wednesday, October 23.

Question: What is the deadline for filing nomination papers?

Answer: If you live in a school division in the City of Winnipeg, the deadline for filing nomination papers in 2002 is 2:00 p.m. on Wednesday, September 25. If you live in any other part of the province, the deadline is the close of business on Tuesday, October 1.

Question: I live in one school division, but own property in a neighbouring one. Can I run for school trustee in either of the two divisions?

Answer: No. The Public Schools Act requires that a candidate be “an actual resident in the school division or district,” and that he or she has been so for a period of at least six months at the date of the election.
**Question:** My school division is divided into three wards. I live in Ward 1. Does that mean that I have to run as a candidate in Ward 1, or can I run in one of the other wards?

**Answer:** A candidate does not have to live in the specific ward in which he or she runs, as long as they do reside in the division or district. However, nomination papers must be signed by electors who do live in the ward in which the candidate will be running.

**Question:** My spouse teaches in the school division in which we live. Can I still run for school trustee?

**Answer:** An individual whose spouse works for a school division or district may still be a trustee in that same division or district. There are, however, some matters which come before the board where that trustee would be considered to have a conflict of interest. In those situations (such as salary negotiations), that trustee would not involve him or herself in the debate or voting on that specific matter. There are a number of other situations where a trustee could have a potential conflict of interest. Legislation requires that situations such as these be declared when a trustee takes office.

**Question:** I teach at a public school in a different school division from where I live. Does that disqualify me from running for school trustee in my home division?

**Answer:** A teacher or other school division employee may be a school trustee, as long as they are not employed in the same division or district in which they live. The *Public Schools Act* prohibits employees or pupils “in regular attendance” from being trustees in the division or district of which they are employees or pupils.

**Question:** If I’m elected school trustee, how will I learn about the job? Will I be offered any training?

**Answer:** Most school divisions and districts offer orientation sessions for new trustees, to familiarize them with local policies and procedures. As well, many new trustees attend training sessions organized by MAST in the fall following trustee elections. These sessions bring together newly-elected trustees from across the province, and help to orientate them to their new role.
### Contact Your School Board Office

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<tr>
<th>School Board</th>
<th>Phone</th>
<th>Sub Region</th>
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<tr>
<td>Beautiful Plains</td>
<td>476-2388</td>
<td>Pine Creek</td>
<td>385-2216</td>
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<td>Border Land</td>
<td>324-6491</td>
<td>Pine Falls</td>
<td>367-2254</td>
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<td>Brandon</td>
<td>729-3100</td>
<td>Portage la Prairie</td>
<td>857-8756</td>
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<td>DSFM</td>
<td>878-9399</td>
<td>Prairie Rose</td>
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<td>Evergreen</td>
<td>642-6260</td>
<td>Prairie Spirit</td>
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<td>Flin Flon</td>
<td>681-3413</td>
<td>Red River Valley</td>
<td>746-2317</td>
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<td>Fort La Bosse</td>
<td>748-2692</td>
<td>River East Transcona</td>
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<td>Rolling River</td>
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<td>Seine River</td>
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<td>Seven Oaks</td>
<td>586-8061</td>
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<td>Interlake</td>
<td>467-5100</td>
<td>Southwest Horizon</td>
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<td>Kelsey</td>
<td>623-6421</td>
<td>St. James-Assiniboia</td>
<td>888-7951</td>
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<td>Lakeshore</td>
<td>739-2101</td>
<td>Sunrise</td>
<td>268-6500</td>
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<td>Lord Selkirk</td>
<td>482-5942</td>
<td>Swan Valley</td>
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<td>257-7827</td>
<td>Turtle Mountain</td>
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<td>677-6150</td>
<td>Western</td>
<td>822-4448</td>
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<td>773-3107</td>
<td>Whiteshell</td>
<td>753-8366</td>
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<td>Pembina Trails</td>
<td>488-1757</td>
<td>Winnipeg</td>
<td>775-0231</td>
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