

DATE: May 26, 2015

TO: Board of Trustees

FROM: Darrel Robertson, Superintendent of Schools

SUBJECT: Edmonton Public School Board Trustee By-election - Ward G

ORIGINATOR: Dr. Sandra Stoddard, Executive Director Governance and Strategic Support Services

REFERENCE: [Local Authorities Election Act](#) Section 13(1)
[School Act](#) Section 251
[Trustees' Handbook](#) – Section 16 – Leaves of Absences and Resignations

ISSUE

Sarah Hoffman was elected as a Member of the Legislative Assembly of Alberta (MLA) during the May 5, 2015 provincial election and is no longer eligible to remain as an Edmonton Public School Board Trustee.

Section 16 of the Trustees' Handbook with respect to a Resignation from the Board states: *An incumbent who wishes to resign from the Board shall inform the Board Chair and the Superintendent. The Board Chair will notify Trustees at a Caucus meeting. Decisions pertaining to public communication and any requirements for a by-election will be determined and the resignation will be reported to public board. The Board Chair will notify the Minister of Education and the Board's decision with respect to conducting by-election (see Section 251 of the [School Act](#).)*

RECOMMENDATION

- 1. That the Board approve conducting an Edmonton Public School Board Trustee by-election in Ward G, tentatively scheduled for Tuesday, September 29, 2015.**
- 2. That the Board approve the appointment of the City of Edmonton's Returning Officer as the Returning Officer for the purposes of the Edmonton Public School Board Trustee By-election in Ward G for Edmonton School District No. 7 as per Section 13(1) of the *Local Authorities Election Act*.**

BACKGROUND

Sarah Hoffman was elected as a MLA on Monday May 5, 2015 and has resigned as a Trustee of the Edmonton Public School Board effective May 25, 2015. As a result, Ward G's Trustee seat is now vacant.

The process for filling vacancies for School Board Trustees is provided in the *School Act* (RSA – 2000 Chapter S-3). Section 251(1) states that, if a vacancy occurs on a board of six or more trustees, the board shall make provision to fill the vacancy by holding a by-election. However, Section 251(2a) states that a by-election need not be held if there is only one vacancy on the board during the two-year period immediately following a general election. While the instance

of the current vacancy in Ward G does not necessitate a by-election, holding one ensures that Ward G citizens have an opportunity to elect their representative, thus maintaining the democratic process and citizens' connection to their community.

RELATED FACTS

On Thursday April 30, 2015, the Executive Director, Governance and Strategic Support Services discussed the process and potential costs of an Edmonton Public School Board Trustee by-election in Ward G with the City of Edmonton. The original estimated expenses for a by-election were \$335,250.

Edmonton Public Schools worked collaboratively with the City of Edmonton to reduce costs through exploring efficiencies. This included reducing voting stations from ten to four and advanced vote days from four to two which resulted in a reduction in staffing requirements and equipment rental including tabulators, tables and chairs. In addition, by-election coordinators were eliminated, information technology staff was reduced to one and the costs associated with advertising and communications was reduced in half. The revised estimated expenses for the by-election are now \$187,240 which aligns closely with what was incurred during a Trustee by-election for Calgary Public Schools.

If the Board of Trustees approves holding a by-election, the Edmonton Public School Board will have to enter into an agreement with the City of Edmonton for the delivery of a by-election and approve the appointment of the City of Edmonton as the Returning Officer. Preliminary discussions with the Returning Officer have resulted in a recommendation that the Board tentatively set Tuesday, September 29, 2015 as the date for the Ward G by-election with Nomination Day being Tuesday, September 1, 2015. Advance voting options will also be available to residents, and will be scheduled by the City of Edmonton Returning Officer in accordance with the City of Edmonton Election Bylaw 16311. An election date of Tuesday, September 29, 2015 would ensure that a Trustee would be in place prior to the end of September 2015 and result in the constituents of Ward G being served for almost the full two years remaining in the 2013-2017 term.

The option of sharing locations of the Trustee by-election with the Federal election was also explored. A conversation took place with the City of Edmonton and it was determined that during the October 19, 2015 Federal election, ten voting stations will be utilized in Ward G. As the most recent estimate of a by-election allows for operating only four voting stations, this would mean that some electors would need to travel to two locations to vote for their Federal candidate and their Trustee candidate. It was determined that this could result in voter confusion. It was also discussed that we could increase our voting stations to ten, but the increase in cost would be similar to the original estimate of \$335,250. Since voter turn-out for a by-election in Calgary was close to five percent, the additional expenses did not seem warranted.

If the Board does not approve that a by-election be conducted, the Administration will bring forward a recommendation report on how to best serve the constituents in Ward G with eight Trustees serving on the Board.

OPTIONS CONSIDERED

The following options have been considered as they are deemed the most admissible:

1. That the Board approve conducting an Edmonton Public School Board Trustee by-election in Ward G on Tuesday September 29, 2015 and approve the appointment of the City of Edmonton as the Returning Officer.
2. That the Board approve conducting an Edmonton Public School Board Trustee by-election in Ward G to align with the Federal election and approve the appointment of the City of Edmonton as the Returning Officer.
3. That the Board not approve conducting an Edmonton Public School Board by-election in Ward G and that the Administration bring forward a recommendation report on how to serve the constituents of Ward G.

SS:mmf