

Policy Title	Trustee Vacancy		
Date of Issue	September 19, 2017	Related Procedure	
Revision Dates		Related Forms	
Review Date	September 1, 2022	Originator	Board of Trustees
References			
Education Act; Municipal Elections Act; Ontario Regulation 462/97 First Nations Representation on Boards			

1.0 RATIONALE

- 1.1 Bluewater District School Board policies will support and provide direction necessary to achieve the board's Vision, Mission and Strategic Plan priorities.
- 1.2 Section 221 of the Education Act requires boards to fill a trustee vacancy in one of two ways:
 - 1.2.1 Appoint a qualified person to the position; or
 - 1.2.2 Require the municipality to hold a by-election
- 1.3 If a vacancy of a trustee, appointed in accordance with *Ontario Regulation 462/97 First Nations Representation on Boards* occurs, the Saugeen Ojibway Nation will appoint a trustee to the board. The trustee appointed will hold office for the remaining term of their predecessor.

2.0 PROCESS

2.1 By-Election Process

If the Board of Trustees chooses to fill a trustee vacancy through a by-election in the vacated electoral zone, the cost of a by-election would be the responsibility of the board. The local municipality will provide the board with applicable information regarding the implications of holding a by-election (e.g., estimated costs, previous election results).

2.2 Appointment Process

- 2.2.1 If the Board of Trustees chooses to appoint a replacement, the *Education Act* requires that the vacancy be filled within 90 days after the office becomes vacant.
- 2.2.2 Section 219 (1) of the *Education Act*, specifies the qualifications necessary to be elected as a trustee. A person must be:
 - a) qualified to vote for trustees of the board; and
 - b) a resident in the area of jurisdiction of the board.
- 2.2.3 Disqualifications are outlined in section 219 (4) and (7) of the Education Act.
- 2.2.4 The board may choose to appoint the candidate that placed second in the last municipal election, providing that there was such a candidate, and that the candidate remains a qualified person, and is willing to serve.

2.3 Appointment with Interviews

- 2.3.1 If the Board of Trustees chooses to proceed with interviews to determine the appointment, the following actions shall occur:
- a) The vacancy shall be advertised through current board processes which may include newspaper, websites, local media and/or social media.
 - b) Persons interested in the position shall be required to submit an application in writing to the Director of Education.
 - c) Applicants will be required to provide the following information:
 - i) why they are interested in the position;
 - ii) their background, qualifications, interests, experience;
 - iii) concerns regarding the position; and
 - iv) other information that they think is pertinent.
- 2.3.2 Any person expressing interest in applying for the position shall be offered a package of information to be picked up from the Director of Education, containing:
- a) information with respect to the board;
 - b) the schedule of board and committee meetings; and
 - c) committee membership lists.

2.4 Appointment Interview Process

- 2.4.1 Candidates who have submitted written applications (see section 2.3.1) by the advertised deadline date may be shortlisted for interviews.
- 2.4.2 Interviews shall be conducted at the Education Centre.
- 2.4.3 The Director's Office shall coordinate all candidate interviews, along with the attendance and participation of trustee members in these interviews.
- 2.4.4 The Director of Education shall be the resource support to the selection committee.

2.5 Appointment Decision

- 2.5.1 Only trustees who have participated in all interviews (if an interview process was conducted) shall vote on the appointment recommendation.
- 2.5.2 The appointed candidate shall be advised promptly of the Board of Trustee's decision, and shall be sworn in at the next Regular Meeting of the Board following the appointment.
- 2.5.3 All candidates who participated in the interview process shall be notified of the Board of Trustee's final decision.