



Commission scolaire English-Montréal
English Montreal School Board

PUBLIC NOTICE:

REPLACEMENT OF COMMISSIONER IN WARD 8 – ST. LEONARD

COUNCIL OF COMMISSIONERS OF THE EMSB

The Commissioner for Ward 8 – St. Leonard, Ms. P. Lattanzio, resigned as a member of the Council of Commissioners of the EMSB, effective as of November 4, 2019.

The law stipulates that her replacement must be named within 30 days.

The process, eligibility requirements and deadlines are attached. The application form and overview of the documents required to have one's application considered is also attached.

The EMSB Parents' Committee will make recommendations.

The EMSB Trustee, Ms. Marlene Jennings, will appoint the candidate she considers most suitable at the end of the process.



Commission scolaire English-Montréal
English Montreal School Board

**Application for Position of Commissioner of Ward 8 – St. Leonard
of the English Montreal School Board (EMSB)
– Replacement until November 2020**

1. IDENTIFICATION –

I, _____
Given Name Surname

(Please print the given name and surname)

occupation _____ telephone _____

born on _____ and domiciled at _____
Date of Birth Number Street

_____ Apt.

_____ Municipality

_____ Postal Code

2. QUALIFIED CANDIDATE – UNDER SCHOOL ELECTIONS ACT:

- (1) has attained eighteen years of age
- (2) is a Canadian citizen
- (3) is domiciled in the territory of the school board and has been domiciled in Québec for at least six months
- (4) is not under curatorship
- (5) has not been convicted within the last five years of an offence that is a corrupt electoral or referendum practice under the School Elections Act, the Referendum Act, the Act respecting elections and referendums in municipalities or the Education Act

Candidate cannot be –

- (1) a member of the National Assembly
- (2) a member of the Parliament of Canada
- (3) a justice of any court of justice
- (4) public servants, except employees within the meaning of the Labour Code, of the MEES or of any other department who are assigned to the MEES on a permanent basis
- (5) an employee of the school board
- (6) election officers of the school board
- (7) an employee of the *Comité de gestion de la taxe scolaire de l'île de Montréal*
- (8) a person sentenced to imprisonment

Eligibility

- any person who is entitled to have his name entered on the list of electors of a school board and who is domiciled in the territory of the school board for six months or more.

Sanctions

Section 213 of the Act Respecting School Elections:

Every person who:

- (1) offers himself as a candidate knowing he is not eligible as a commissioner,[...]
- (3) offers himself as a candidate in more than one electoral division of the same school board,[...]
- (6) in his capacity as a candidate or mandatary, collects supporting signatures and falsely declares that he knows the persons whose names appear on the nomination paper, that they have signed in his presence or that they are electors of the electoral division or, if the nomination is filed for the office of chair of the school board, that they are electors of the school board,
- (7) collects supporting signatures without being a candidate or mandatary,[...] is guilty of an offence.

220. Every person who is guilty of an offence under section 212.1, either of paragraphs 2 and 3 of section 213, any of paragraphs 1 to 3, 6, 7 and 9 of sections 214 or section 218 is liable to a fine of not less than \$100 nor more than \$1,000 in the case of a natural person or, in the case of a legal person, to a fine of not less than \$300 nor more than \$3,000, and for any subsequent conviction, to a fine of not less than \$200 nor more than \$2,000 in the case of a natural person, or in the case of a legal person, to a fine of not less than \$600 nor more than \$6,000.

221. Every person who is guilty of an offence under section 213, either of paragraphs 1 and 4 to 8 of section 213, any of paragraphs 4, 5, 8 or 10 of section 214 or section 215 or 216 is liable to a fine of not less than \$500 nor more than \$5,000 in the case of a natural person or, in the case of a legal person, to a fine of not less than \$1,500 nor more than \$15,000 and, for any subsequent conviction, to a fine of not less than \$1,000 nor more than \$10,000 in the case of a natural person or, in the case of a legal person, to a fine of not less than \$3,000 nor more than \$30,000.

3. I HEREBY SUBMIT MY CANDIDACY FOR THE POSITION OF COMMISSIONER IN ELECTORAL DIVISION NO. 8 AND HEREBY CERTIFY THAT I AM ELIGIBLE, IN ACCORDANCE WITH ALL LEGISLATIVE PROVISIONS AND RULES APPLICABLE.

Signature of the Candidate

Date

4. CURRICULUM VITAE - PLEASE INCLUDE A CURRICULUM VITAE WITH THIS APPLICATION

5. SUPPORTING SIGNATURES (from Qualified Electors)

We, the undersigned, hereby support the candidacy of _____
Given name and surname
 for the position of commissioner of this electoral division.

Sanctions

Sections 213(2) & 220 of the Act Respecting School Elections (R.S.Q. c. E-2.3)

213. Every person who:

(2) supports a nomination when he is not an elector in the electoral division for which the nomination is filed or, if the nomination is filed for the office of chair of a school board, is not an elector of the school board, [...]

(5) affixes a name that is not his own as a supporting signature on a nomination paper, [...] is guilty of an offence.

220. Every person who is guilty of an offence under section 212.1, either of paragraphs 2 and 3 of section 213, any of paragraphs 1 to 3, 6, 7 and 9 of sections 214 or section 218 is liable to a fine of not less than \$100 nor more than \$1,000 in the case of a natural person or, in the case of a legal person, to a fine of not less than \$300 nor more than \$3,000, and for any subsequent conviction, to a fine of not less than \$200 nor more than \$2,000 in the case of a natural person, or in the case of a legal person, to a fine of not less than \$600 nor more than \$6,000.

221. Every person who is guilty of an offence under section 213, either of paragraphs 1 and 4 to 8 of section 213, any of paragraphs 4, 5, 8 or 10 of section 214 or section 215 or 216 is liable to a fine of not less than \$500 nor more than \$5,000 in the case of a natural person or, in the case of a legal person, to a fine of not less than \$1,500 nor more than \$15,000 and, for any subsequent conviction, to a fine of not less than \$1,000 nor more than \$10,000 in the case of a natural person or, in the case of a legal person, to a fine of not less than \$3,000 nor more than \$30,000.

Eligibility

Individuals supporting the candidate must be qualified electors and must meet the following criteria –

Every person who, on polling day –

(1) has attained eighteen years of age

(2) is a Canadian citizen

(3) is domiciled in the territory of the school board and has been domiciled in Québec for at least six months

(4) is not under curatorship, and

(5) has not been convicted within the last five years of an offense that is a corrupt electoral or referendum practice under this Act, the Referendum Act (chapter C-64.1), the Act respecting elections and referendums in municipalities (chapter E-2.2) or the Election Act (chapter E-3.3).

Number	Surname and given name (block letters)	Address	Signature
1			
2			
3			
4			
5			

6. DECLARATION OF THE PERSON WHO COLLECTED THE SUPPORTING SIGNATURES (CANDIDATE OR MANDATORY)

I, _____, having collected the supporting signatures, declare that
Given name and surname
the persons whose names appear on the nomination paper have signed in my presence, that I know them, and that to my knowledge, these persons are electors of electoral division 8.

Signature of the person who collected the supporting signatures



Procedure for Replacement of a Commissioner (Ward 8 – St. Leonard)

The replacement of the Commissioner of Ward 8 is guided by The Act Respecting School Elections (R.S.Q c. E-2.3), which states that:

“If between 12 and 4 months remain before the polling day of the next general election and there is a vacancy on the council of commissioners, the council of commissioners shall fill the vacancy within 30 days, after consultation with the parents’ committee instituted under the Education Act (chapter I-13.3). The person appointed must have the qualifications required of a school commissioner.”

PROCESS:

1. No more than 30 days should elapse between the resignation of a commissioner and the appointment of a replacement.
2. Within 15 days following receipt of the letter of resignation, the Secretary General will write to the English Montreal School Board Parents’ Committee (EMSBC) informing them of the resignation, and consult the EMSBC on the replacement of said commissioner.
3. All interested candidates who meet the minimum criteria – see attached, are invited to submit their application **to BOTH:**
 - i) The **EMSBC Trustee, Ms. Marlene Jennings**, via the office of the Secretary General (nlauziere@emsb.qc.ca)
 - AND**
 - ii) to the **EMSBC Parents’ Committee** via the Communications’ Officer, Brigida Sellato (bsellato@emsb.qc.ca)
4. Deadline to submit an application to the Secretary General and EMSBC Parents’ Committee is: **Monday, November 25, 2019 at noon.**
5. The EMSBC Parents’ Committee must review all applications and recommend three to five (3-5) candidates to the EMSBC Trustee, Ms. Jennings, via the Secretary General’s office by **Friday, November 29, 2019 at noon.**
6. EMSBC Trustee, Ms. Marlene Jennings, will review all applications and the recommendations made by the EMSBC Parents’ Committee, and announce the retained candidate by **December 4, 2019.**

QUALIFICATIONS (as per Section 12 of the Act respecting school elections)

- 18 years of age
- Canadian citizen
- has been domiciled in the territory of the school board for six months
- is not under curatorship
- has not been convicted within the last five years of an offence that is a corrupt electoral or referendum practice under this Act, the Referendum Act (chapter C-64.1), the Act respecting elections and referendums in municipalities (chapter E-2.2) or the Election Act (chapter E-3.3).

As per Section 21 of the Act respecting school elections, a candidate cannot be:

- Member of the National Assembly;
- Member of the Parliament of Canada;
- Justice of any court of justice;
- The chief electoral officer and another member of the Commission de la représentation
- Public servant, except employee within the meaning of the Labour Code (chapter C-27), of the Ministère de l'Éducation et de l'Enseignement Supérieur (MEES) or of any other department who is assigned to the MEES on a permanent basis;
- Employee of the school board;
- Employee of the Comité de gestion de la taxe scolaire de l'île de Montréal
- Election officer of the school board
- A person sentenced to imprisonment *

* Disqualification of a person sentenced to imprisonment ceases if the person obtains a pardon for the offence committed.

ELIGIBILITY (as per Section 20 of the Act respecting school elections)

Any person who is entitled to have his name entered on the list of electors of a school board and who is domiciled in the territory of the school board for six months or more.