

## PETITIONS AND PUBLIC NOTICES

### Background

Petitions may be used to express public opinion. Petitions are requests to provide support or opposition on a matter. Petitions that meet all requirements can be used to request the Board of Trustees to consider taking action on a specific issue.

### Definitions

**Elector:**

a person who is eligible to vote in an election as defined in Section 1 of the *Municipal Government Act* and Section 1 of the *Local Authorities Election Act*.

**Petition:**

a formal request to the Board signed by a number of electors.

**Petitioner:**

an elector as defined above and who signs a petition.

**Witness:**

an adult person who claims that they were personally present and saw the petitioner sign their name.

### Guidelines

#### 1. Petitions

- 1.1. Each page of the petition must contain:
  - 1.1.1. an identical statement of the purpose of the petition; and
  - 1.1.2. an identical statement on the protection of personal information.
- 1.2. A petition must be signed by the number of electors that is equal to at least 10 per cent of the number of funded students in the Division, and must include the following for each petitioner:
  - 1.2.1. the printed surname and given names of the petitioner;
  - 1.2.2. the signature of the petitioner;
  - 1.2.3. the street address of the petitioner or legal land description on which the petitioner resides;
  - 1.2.4. the petitioner's telephone number or email address;
  - 1.2.5. the date on which the petitioner signs the petition; and
  - 1.2.6. the signature of an adult witness next to each petitioner's signature.
    - 1.2.6.1. The witness must undertake an affidavit that, to the best of the person's knowledge, the signatures witnessed are those of persons entitled to sign the petition—requiring the witness to determine, at a minimum, that the petitioner:

- 1.2.6.1.1. is at least 18 years old; and
    - 1.2.6.1.2. resides in the jurisdiction of Elk Island Public Schools.
  - 1.2.6.2. The witness must be present and see the person sign the petition document.
- 1.3. No name shall be removed from a petition after it has been received by the Board.
- 1.4. When the petitioners wish to present a petition to the Board, they shall do so by filing the petition with the Secretary-Treasurer.
- 1.5. When a petition is filed with the Secretary-Treasurer, the Secretary-Treasurer:
  - 1.5.1. shall determine the number of petitioners who have signed the petition;
  - 1.5.2. shall determine whether the petition meets the requirements listed in Sections 1.1 and 1.2 of this policy; and
  - 1.5.3. having made the determination—under Sections 1.5.1 and 1.5.2 of this policy—shall declare the results of the Secretary-Treasurer’s determination and provide written notification of the declaration to the originator of the petition.
- 1.6. If a petition is found—under Section 1.5 of this policy—to be insufficient, the Board shall proceed as if the petition had not been presented to the Board.
- 1.7. Where it is determined that a petition is insufficient, the petitioners may appeal the determination as per the *Education Act’s* Petitions and Public Notices Regulation.
- 1.8. If a petition is determined sufficient by the Secretary-Treasurer, the Board shall review the petition—within 30 days of the date of the written notification—declaring the results of the determination made under Section 1.5 of this policy.
- 1.9. The Board shall review the purpose of the petition and provide recommendations to the Board in response to the purpose of the petition.
- 1.10. The Secretary-Treasurer shall provide the petitioners with written notification of the outcomes of the review within 90 days of the date of the written notification declaring the results of the determination made under Section 1.5 of this policy.

## 2. Public notices

- 2.1. When public notice, including notice of a public meeting, is required to be given under the *Education Act*, the notice must be given:
  - 2.1.1. by publishing the notice at least once a week for two consecutive weeks in at least one newspaper that has general circulation in the area of the Division; and
  - 2.1.2. by posting the notice for 10 business days in at least two areas that the Secretary-Treasurer considers appropriate.

## References

Section 247 *Education Act*

Last reviewed:

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April 23, 2020	April 23, 2020
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