

Ministry of Education

Education Equity Secretariat

315 Front Street West
Toronto ON M7A 0B8

Ministère de l'Éducation

Secrétariat de l'équité en
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315, rue Front Ouest
Toronto (Ontario) M7A 0B8

MEMORANDUM TO: Directors of Education

FROM: Rachel Osborne
Director, Education Equity Secretariat

DATE: January 21, 2022

SUBJECT: 2022 Trustee Determination and Distribution

The purpose of this memo is to provide you with information and resources to support your board in completing the Trustee Determination and Distribution process ahead of the 2022 school board election.

Trustee Determination and Distribution

Before each general election, every board of trustees determines the number of trustee positions on their board and distributes these positions across the board's area of jurisdiction. This process is known as trustee determination and distribution (D&D).

By **March 31, 2022**, every district school board must complete a report on the determination and distribution of its members, and, **by April 4, 2022**, submit it to:

- the Ministry of Education.
- the election clerks for all municipalities within the board's jurisdiction.
- the secretary of every other board that is wholly or partially within the board's area of jurisdiction.

School boards may submit their D&D reports to the Ministry of Education by email at LCGB@ontario.ca, or by mail to:

Ministry of Education
Governance – Operations & Board Supports
Education Equity Secretariat
315 Front Street West
Toronto ON M7A 0B8

The electoral group population data which your board will use to complete any necessary calculations for the report will be sent to you by the Municipal Property Assessment Corporation (MPAC) by February 15, 2022.

To assist you with completing this report, I am pleased to provide you with the “2022 Trustee Determination & Distribution Guide for Ontario District School Boards” (see attached). The guide contains information on how to determine your board’s number of elected trustees and the process for distributing the positions over your board’s jurisdiction. The guide can also be found on the ministry’s website:

<https://www.ontario.ca/page/trustee-determination-and-distribution-guide>.

You may also use an online calculator to make your determination and distribution calculations. The calculator can be found on the Ontario Education Services Corporation website at:

<http://trusteecalc.oesc-cseo.org/trustee-elections/calculator/>.

The rules governing the number and distribution of trustee positions are found in section 58.1 of the *Education Act*, and in Ontario Regulation 412/00 – *Elections to and Representation on District School Boards*. The rules have not changed since the last election in 2018. If you are using the formula in the regulation to re-calculate your board’s number of elected positions, please note that Table 5 (Dispersal Factors) in the regulation has been updated. The current version of the regulation is available on e-laws at: http://www.e-laws.gov.on.ca/html/reg/english/elaws_regs_000412_e.htm

If your board has jurisdiction in more than one municipality, your board must pass a resolution that either designates one or more municipalities as low population municipalities OR states that the board has decided not to designate any municipality as a low population municipality. The low population designation results in greater representation for a municipality than it would otherwise get based on its population; it does not change the number of trustees to be elected to your board. Your board must pass a low population resolution by **March 31, 2022**.

I encourage you to consult with your board’s communities as you prepare for the determination and distribution process ahead of the 2022 election. Many boards experience considerable population shifts between election cycles, which can have effects on the balance of representation at the board table. Through consultation with local communities, your board can help to ensure fair and equitable representation of all board supporters.

Housekeeping Amendments to the *Education Act*

Please note that the *Education Act* has been amended to:

- Remove references to ranked ballot voting, which is no longer available for municipal elections in Ontario; and

- Adjust the timing of the annual board meeting during which boards must elect their chairs and Directors of Education must submit their annual report to the board from December to November.

These housekeeping amendments have been made to align the *Education Act* with changes made to the *Municipal Elections Act, 1996*, which include moving the start date for trustee terms of office from December 1 to November 15 in an election year, beginning in 2022.

I trust that this information will be of assistance to your board. If you require further information, please contact LCGB@ontario.ca. You may also contact your local Ministry of Education Regional Office for more information.

Thank you,

Rachel Osborne

Attachments: Trustee Determination and Distribution Guide

cc: Director and Regional Managers, Field Services Branch
Association des conseils scolaires des écoles publiques de l'Ontario
Association franco-ontarienne des conseils scolaires catholiques
Ontario Catholic School Trustees' Association
Ontario Public School Boards' Association
Council of Ontario Directors of Education
Municipal Property Assessment Corporation