



# BRANDON SCHOOL DIVISION

*Office of the Secretary-Treasurer*

Mr. Denis Labossiere, Secretary-Treasurer

Ms. Eunice Jamora, Assistant Secretary-Treasurer

October 23, 2014

The Chairperson and Members  
The Brandon School Division

Dear Sir or Madam:

This will advise that the Inaugural Meeting of the Board of Trustees will be held at **7:00 p.m., Wednesday, November 5, 2014** in the J. L. Milne Boardroom, Administration Office, 1031 - 6th Street, Brandon, Manitoba for the purpose of:

- a) Organization - see attached agenda.

Your presence is respectfully requested and we would appreciate it if you would advise us if you are unable to attend.

To commemorate your election to the Board of Trustees, the Division has scheduled a professional photographer to take pictures prior to the commencement of the Inaugural Meeting. Individual and group photographs will be taken in the Staff Room on the 2<sup>nd</sup> floor of the Administration Office **beginning at 5:30 p.m.** Supper will not be provided.

The Invocation, conducted by the Division's Native Elder, Mr. Kevin Tacan, will be given at 6:45 p.m. just prior to the Inaugural Meeting commencing at 7:00 p.m

Yours truly,

Denis Labossiere, CGA  
Secretary-Treasurer

/bjs

Attachment

cc: Senior Administration  
News Media  
President, Brandon Teachers' Association  
President, Brandon Association of Principals  
President, CUPE Local 737

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# BRANDON SCHOOL DIVISION

October 23, 2014

INAUGURAL MEETING OF THE BOARD OF TRUSTEES  
TO BE HELD AT **7:00 P.M., WEDNESDAY, NOVEMBER 5, 2014**  
J. L. MILNE BOARDROOM, ADMINISTRATION OFFICE  
1031 - 6TH STREET, BRANDON, MANITOBA

## A G E N D A

PRESENT:

SECRETARY- TREASURER IN THE CHAIR:

NATIONAL ANTHEM:

READ CALL:

READ RETURNS OF ELECTION:

AFFIDAVITS OF QUALIFICATION AND OATHS OF OFFICE & ALLEGIANCE:

- To be administered by Judge Hewitt-Michta to each Trustee-Elect.

STATEMENT OF ASSETS & INTERESTS:

- Advisement by Secretary-Treasurer

ELECTION OF CHAIRPERSON OF THE BOARD:

ELECTION OF VICE-CHAIRPERSON OF THE BOARD:

CHAIRPERSON ASSUME THE CHAIR:

CHAIRPERSON'S REMARKS:

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VICE-CHAIRPERSON'S REMARKS:

SECRETARY-TREASURER'S DECLARATION OF OCCUPATIONS OF TRUST:

ADJOURNMENT:



## **TRUSTEE SWEARING-IN CEREMONY**

Judge Hewitt-Michta, will administer the declarations of Trustees, assisted by the Secretary-Treasurer.

Judge Hewitt-Michta will ask all nine (9) Trustees to stand and be sworn in as a group. Please respond to Judge Hewitt-Michta as she reads each point on the attached sheet.

Following the group declaration Judge Hewitt-Michta will ask all Trustees to be seated. Judge Hewitt-Michta will then call each Trustee alphabetically to come forward and be seated at the Chair's desk to sign the individual Affidavit of Qualification and Oath of Office and Allegiance of Trustee of a School Division, to be sworn to by Judge Hewitt-Michta. A copy of the Affidavit and Oath is attached for your perusal prior to the meeting.

Each Trustee will come forward as Judge Hewitt-Michta calls your name.

## **TRUSTEE RESPONSE – GROUP SWEARING IN CEREMONY**

Judge Hewitt-Michta will ask Trustees to raise right hand and then ask:

1. Will you faithfully and impartially, to the best of your ability and knowledge, perform and fulfill the duties of the office of School Trustee of The Brandon School Division to which you have been elected and so long as you shall continue to hold that office without fear or favour?

(Response – “I will”)

2. Will you be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors, according to law?

(Response – “I will”)

3. Will you uphold the Trustee Code of Ethics to the best of your ability?

(Response – “I will”)



# BRANDON SCHOOL DIVISION

## *Office of the Secretary-Treasurer*

Mr. Denis Labossiere, Secretary-Treasurer

Ms. Eunice Jamora, Assistant Secretary-Treasurer

## *Memorandum*

**Date:** October 23, 2014

**To:** All Trustees Elected October 22, 2014

**From:** Denis Labossiere, Secretary-Treasurer

**Re:** Statement of Assets and Interests Per Section 39.3 of the Public Schools Act

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The above-mentioned provisions of The Public Schools Act require that, prior to taking the oath or affirmation of office, every Trustee shall file with the Secretary-Treasurer a statement disclosing assets and interests in accordance with subsection (4) (copy attached).

I am enclosing herewith for completion the appropriate form. Please complete, sign and date the report and return to me on or before Noon on Monday, November 3, 2014. Please note that, if appropriate, a NIL report is to be filed. Please also note that the form can be submitted to me in a sealed envelope which should identify the contents and your name.

For the purposes of completing this form, Section 36(1) of The Public Schools Act states that a "dependent" means a) the spouse of a trustee, including a person who is not married to the trustee but whom the trustee represents as the spouse; and b) any child, natural or adopted, of the trustee who resides with the trustee.

If you have any questions or require assistance please contact me.

Sincerely,

Denis Labossiere, CGA  
Secretary-Treasurer

/bjs

Encl.

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# BRANDON SCHOOL DIVISION

## STATEMENT OF ASSETS & INTERESTS pursuant to Conflict of Interest Provisions in The Public Schools Act, Section 39.3(1)

TRUSTEE \_\_\_\_\_  
(name)

I declare the following to be the assets and interests of me and my dependents in  
accordance with the provisions of Said Act:

Real Estate in the School Division:

Personal Financial Interest: (no financial detail required – nature of holding only)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

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39.2 The failure of any trustee of a school board to comply with subsection 38(1) does not of itself invalidate

- (a) any contract or other pecuniary transaction; or
- (b) any procedure undertaken by the school board with respect to a contract or other pecuniary transaction;

to which the failure relates, but the transaction or procedure is voidable at the instance of the school board before the expiration of two years from the date of the decision authorizing the transaction, except as against any person, corporation, partnership or organization who or which acted in good faith and without actual notice of the failure.

R.S.M. 1987 Supp., c. 26, s. 3.

#### **Statement of assets and interests**

39.3(1) Prior to taking the oath or affirmation of office, every trustee of a school division or school district shall file with the secretary-treasurer of the school division or school district a statement disclosing assets and interests in accordance with subsection (4).

#### **Notification of failure to comply**

39.3(2) Where a trustee fails to comply with subsection (1), the secretary-treasurer shall forthwith notify the trustee in writing of the failure, and the trustee shall, within 30 days after receiving the notification, file the statement referred to in subsection (1).

#### **Further statement after acquisition or disposal**

39.3(3) Where after the filing of a statement under subsection (1) or (2) a trustee or any dependant of a trustee acquires or disposes of any asset or interest of a kind mentioned in subsection (4), the trustee shall within 30 days of the acquisition or disposal file with the secretary-treasurer a further statement disclosing the acquisition or disposal.

#### **Assets and interests that must be disclosed**

39.3(4) Subject to subsection (5), a trustee of the school board of a school division or school district filing a statement under subsection (1), (2) or (3) shall in the statement disclose

- (a) all land in the school division or school district in or in respect of which the trustee or any of the trustee's dependants has any estate or interest, including any leasehold estate and any mortgage, licence or interest under a sale or option agreement, but excluding principal residence property;
- (b) where the trustee or any of the trustee's dependants holds a beneficial interest in, or a share warrant or purchase option in respect of, 5% or more of the value of the issued capital stock of a corporation, all estates and interests in or in respect of land in the school division or school district held by that corporation or by a subsidiary of that corporation;
- (c) the name of every corporation, and every subsidiary of every corporation, in which the trustee or any of the trustee's dependants holds a beneficial interest in 5% or more of the value of the issued capital stock, or holds a share warrant or purchase option in respect of 5% or more of the value of the issued capital stock;
- (d) the name of every person, corporation, subsidiary of a corporation, partnership or organization that remunerates the trustee or any of the trustee's dependants for services performed as an officer, director, manager, proprietor, partner or employee;
- (e) bonds and debentures held by the trustee or any of the trustee's dependants, excluding bonds issued by the Government of Canada, by the government of any province of Canada, or by any municipality in Canada, and also excluding Treasury Bills;
- (f) holdings of the trustee or any of the trustee's dependants in investment funds, mutual funds, investment trust or similar securities, excluding Retirement Savings Plans, Home Ownership Savings Plans, accounts and term deposits held in banks, credit unions or other financial institutions, pension plans and insurance policies;
- (g) any interest in property in the school division or school district to which the trustee or any of the trustee's dependants is entitled in expectancy under any trust, and any interest in property in the school division or school district over which the trustee or any of the trustee's dependants has a general power of appointment as executor of a will, administrator of an estate or trustee under a deed of trust;
- (h) the nature, and the identity of the donor, of every gift given to the trustee or any of the trustee's dependants at any time after the coming into force of this section, excluding

- (i) gifts from a family member,
- (ii) gifts disclosed in any previous statement filed under subsection (1), and
- (iii) gifts received before the trustee was first elected to the school board; and
- (i) the general nature of any contract or other pecuniary transaction entered into at any time after the coming into force of this section between the school division or school district and
  - (i) the trustee or any of the trustee's dependants, or
  - (ii) any corporation referred to in clause (c), or
  - (iii) any partnership in which the trustee or any of the trustee's dependants is a partner,
 but excluding
  - (iv) any such contract or other pecuniary transaction entered into before the trustee was first elected to the school board,
  - (v) any such contract or other pecuniary transaction disclosed in any previous statement filed under this section, and
  - (vi) any transaction in which the trustee or any of the trustee's dependants is presumed under section 37 not to have a direct or indirect pecuniary interest.

#### **General exemptions**

- 39.3(5) For the purposes of this section, no trustee of a school board is required
- (a) to disclose any gift worth less than \$250., unless the total value of all the gifts from the donor to the trustee and the trustee's dependants during the preceding year exceeded \$250.; or
  - (b) to disclose any other asset or interest worth less than \$500.; or
  - (c) to estimate the value of any asset or interest disclosed; or
  - (d) to disclose any asset or interest acquired by a dependant of the trustee
    - (i) prior to January 1, 1984, in the case of a trustee elected before January 1, 1987, and
    - (ii) in the case of a dependant of any other person subsequently elected to the school board, more than two years before the person was elected to the school board for the first time after the coming into force of this section.

#### **Continuing disclosure**

- 39.3(6) Where a trustee or any of the trustee's dependants receives as a gift any of the assets or interests referred to in clauses 4(a) to 4(g), the trustee shall, notwithstanding that the gift has already been disclosed in a statement filed under this section, continue to disclose the asset or interest in every statement filed thereunder until the trustee or dependant disposes of the asset or interest.

#### **Statements not available to public**

- 39.3(7) Subject to subsections (8) and (9), the secretary-treasurer of a school division or school district shall not
- (a) make any statement filed under this section available for inspection by any person; or
  - (b) reveal the contents of any statement filed under this section to any person.

#### **Exception for trustees**

- 39.3(8) Subsection (7) does not apply to a trustee who wishes to inspect, or to be informed of the contents of, any statement filed by the trustee under this section.

#### **Limited disclosure**

- 39.3(9) Where any person
- (a) provides details of a possible violation of this Act by a trustee of a school board; and
  - (b) indicates a specific asset or interest in respect of which the possible violation may have occurred;
- the secretary-treasurer of the school division or school district shall examine the statements filed by the trustee under this section and shall in writing inform the person whether or not the statements disclose the specific asset or interest.

R.S.M. 1987 Supp., c. 26, s. 3.