

**A Submission to**  
**the Standing Committee on Finance and Economic Affairs**  
**Regarding An Act to amend the Municipal Election Act,**  
**1996 and to make complementary amendments to other acts**  
**(“Bill 181”)**

**May 12, 2016**



**Ontario Catholic School  
Trustees' Association**

## **Our Mission**

*Inspired by the Gospel, the Ontario Catholic School Trustees' Association provides the provincial voice, leadership and service for elected Catholic school trustees to promote and protect publicly funded Catholic education in Ontario.*

## **Our Vision**

*Ontario is enriched by a publicly funded Catholic education system governed by locally elected Catholic school trustees who serve with faith, commitment and compassion.*

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## **Introduction**

Founded in 1930, the Ontario Catholic School Trustees' Association (OCSTA) represents the province's 29 English-language Catholic School district school boards. Collectively, these school boards educate over 600,000 students from junior kindergarten to grade 12.

Inspired by the Gospel, OCSTA provides the provincial voice, leadership and service for elected Catholic school trustees to promote and protect publicly funded Catholic education in Ontario.

OCSTA appreciates the opportunity to provide the Committee its comments in respect of *An Act to amend the Municipal Elections Act, 1996* or Bill 181.

OCSTA welcomes Bill 181 as it represents several months of public consultation with key stakeholders in municipal election reform. It also proposes key amendments that will make municipal elections shorter, more consistent with modern election finance practices and increase accessibility for electors and candidates.

## **Specific Comments on Bill 181**

### ***1. Accuracy of Municipal Voters Lists***

Section 19 of the Municipal Elections Act requires the Municipal Property Assessment Corporation (MPAC) to prepare a preliminary voters' list during the year of a regular election. Section 21 requires MPAC to deliver to the secretary of every school board an extract of that list based on the school support of elections in that election. Once the clerk amends the preliminary voters' list, that new list is the final voters list. However, none of the proposed amendments to the *Municipal Elections Act* in bill 181 mention the issue of developing accurate voters lists. This has been a significant problem for Catholic school trustee voters in many recent municipal elections.

### **Recommendation:**

Amendments to section 21 of the Municipal Elections Act should include provisions that direct the clerk to ensure MPAC delivers the most accurate voters' list possible.

### ***2. Accuracy of Assessment Base***

Related to the production of an accurate voters' list is the production of an accurate property assessment roll that supports one of five publicly funded school systems. This is the responsibility of MPAC. Since the late 1990's, the accuracy of the assessment base of English and French-language Catholic school boards has eroded. This has had a negative impact on the constitutional right of Catholic school supporters to vote for trustees of the local Catholic school board. In addition, the erosion of the assessment base negatively impacts various governance matters of Catholic school boards. These include: determining the number of school trustees to be elected, maintaining a public record of support for Catholic schools and the calculation of some grants for schools.

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Section 74(2) of bill 181 proposes amendments to section 15 of the Municipal Elections Act that gives the Minister the authority to prescribe how MPAC enumerates people in a municipality.

**Recommendation:**

Modify the amendment to enable the Minister to direct MPAC to focus on enumeration issues impacting Catholic school supporters. This may include directives to MPAC to ensure an accurate assessment data base.

**3. *The Default Mechanism for indicating support for the Catholic School System***

Section 16(4) of the Assessment Act and Section 236 of the Education Act work to establish the build-in “default” mechanism which provides that unless a Catholic school supporter takes positive action to assert his or her support for the Catholic School system, then MPAC must indicate a person is a public school supporter on the assessment roll. We believe this is unfair to Catholic school supporters.

**Recommendation:**

Amend section 11 of the Assessment Act to direct MPAC to revise its information forms for property owners to ensure they indicate support for the school board of their choosing. School support should automatically follow a person when they move from one property to another.

**4. *Use of Schools for Election Purposes.***

A number of stakeholders have suggested that school boards have a mandatory requirement to hold a PA day on the day of the election to ensure the safety of students. OCSTA believes, on the contrary, that local school boards should retain the flexibility and autonomy to schedule PA days according to the needs of their own school communities and staff. Some school boards, for example, may take advantage of Election Day in their schools to discuss the democratic process with their students.

**Recommendation:**

Leave the scheduling of a PA day on municipal election day to the discretion of the local school board.

**5. *Administration of Elections: Obstacles to Voting at Polling Stations***

The proposed amendment to Section 12.1 of the Municipal Elections Act requires the clerk of a municipality to prepare a plan regarding the identification, removal and prevention of barriers of electors and candidates with disabilities and to make this plan publicly available prior to voting day. This change is important but it does not address other pressing issues preventing voting. For example, in the 2014 election voters attempting to vote for Catholic school trustees faced the following problems:

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- Too few English-Catholic school supporter ballots;
  - Catholic voters provided improper ballots;
  - Catholic voters not on the voters list as Catholic school supporters;
  - Polling staff incapable of making corrections to the designation of school support at the polling station.

**Recommendation:**

This amended section should also include direction to the clerk to develop a plan to ensure polling stations have sufficient resources and trained staff to support Catholic voters in respect of school trustees.

***6. Alternative Methods for Voting***

Turn out in municipal elections is generally low. According to the Association of Municipalities of Ontario's 2014 Municipal Elections Voter Turn-Out Report, an average of 43% of Ontarians cast votes in the last municipal election.

OCSTA believes that more needs to be done to encourage citizenship engagement in the election process. That is why we have worked with other school board associations to promote engagement in the municipal election process. Our campaign "It's All in your hands" from 2014, provided a variety of on-line tools and educational materials to encourage active participation in the last municipal election. Along these lines, we also believe that it is important for the province to implement alternative forms of voting using the latest digital technologies, including email, mail and telephone.

**Recommendation:**

Amend section 12.1 of the Municipal Elections Act to direct the clerk of a municipality to develop and implement alternative methods of casting ballots in the next municipal election. These methods should include email, telephone and mail as well as other secure on-line technologies.

Ontario Catholic School Trustees' Association  
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Ontario Catholic School  
Trustees' Association

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