

DISQUALIFICATION OF TRUSTEES

Excerpts from the School Act

- 82(1)** A person is disqualified from remaining as a trustee of a board if that person
- (a) ceases to be qualified for nomination as a trustee under the *Local Authorities Election Act*;
 - (b) is an auditor or employee of the board for which the person is a trustee;
 - (c) is a party to a subsisting contract for the construction, maintenance or repair of real property over which the board has administration other than a contract for the provision of goods or services in an emergency;
 - (d) beneficially owns more than 10% of the issued shares of a corporation that has a pecuniary interest in a subsisting contract for the construction, maintenance or repair of real property over which the board has administration other than a contract for the provision of goods or services in an emergency;
 - (e) has a pecuniary interest in a contract with the board, other than
 - (i) a contract for the provision of goods or services in an emergency,
 - (ii) a contract for the sale of goods or services to the board at competitive prices by a dealer in those goods or services incidental to and in the ordinary course of the dealer's business,
 - (iii) a contract of employment with the trustee's spouse or adult interdependent partner, child, parent or spouse's or adult interdependent partner's parent, or
 - (iv) a contract approved by the board pursuant to disclosure
 - (f) uses information gained through the person's position as a trustee of the board to gain a pecuniary benefit in respect of any matter in which the person has a pecuniary interest;
 - (g) is a judge of a court or a member of the Senate or House of Commons of Canada or of the Legislative Assembly of Alberta;
 - (h) absents himself or herself, without being authorized by a resolution of the board to do so, from 3 consecutive regular meetings of the board, unless the person's absence is due to illness and the person provides evidence of that illness in the form of a medical certificate respecting the period of the person's absence;
 - (i) is convicted of
 - (i) an indictable offence punishable by imprisonment for 5 or more years, or
 - (ii) an offence under section 123 of the Criminal Code (Canada) for which an absolute discharge or pardon has not been granted.
- (2)** Notwithstanding section 24 of the *Local Authorities Election Act*, a trustee of the board who is disqualified under this section is eligible to be elected at the next general election of trustees to the board if that person is qualified for nomination under the *Local Authorities Election Act*.