

## **THE PARKLAND SCHOOL DIVISION**

### **BYLAW 2024-1**

#### **A Bylaw to Require Criminal Record Checks for Trustee Nominations**

##### **Preamble**

Section 21.1 of the *Local Authorities Election Act* allows an elected authority to, by a bylaw passed prior to December 31 of the year before a year in which a general election is to be held, require a person seeking to be nominated as a candidate to provide a criminal record check;

Section 28 of the *Local Authorities Election Act* provides that

- (a) a returning officer shall not accept for filing a nomination that is not accompanied with a criminal record check required by bylaw,
- (b) at any time after the commencement of the nomination period until the term of office to which the filed nomination papers relate has expired, a person may request to examine the filed nomination papers during regular business hours and in the presence of the returning officer, deputy, or secretary, and
- (c) a filed nomination paper must be made available in a partial or redacted form as necessary, but the results of the criminal record check must not be withheld or redacted except to ensure that the mailing address of the candidate and of the candidate's official agent is not disclosed;

The Board of Trustees of Parkland School Division deems it advisable to require a person seeking to be nominated to provide a criminal record check with their nomination;

The Board of Trustees of Parkland School Division enacts:

##### **Criminal Record Checks for Trustee Nominations**

1. This bylaw may be cited as the "Criminal Record Check Bylaw."

##### **Definitions**

2.
  - (1) Unless otherwise specified, words used in this bylaw will have the same meaning as defined in the *Local Authorities Election Act*.
  - (2) In this bylaw:
    - (a) "criminal record check" means a check conducted by The RCMP, which must include results of both local and national records including charges and convictions.

**Criminal Record Check**

3. Every nomination of a candidate for the office of trustee must be accompanied with a criminal record check issued no earlier than 45 calendar days prior to the date the nomination is submitted.

**Effective Date**

4. This bylaw comes into force on the day it is passed.

Read a first time on December 17, 2024;

Read a second time on December 17, 2024;

Read a third time on December 17, 2024;

SIGNED AND PASSED December 17, 2024.

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Board Chair

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Secretary-Treasurer