

# Non-Compliance in Relation to Campaign Disclosure Statements for Calgary Board of Education Trustee Candidates

## Report to Board of Trustees



Calgary Board  
of Education

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| Date                        | April 21, 2026                              |
| Meeting Type                | Regular Meeting, Public Agenda              |
| To                          | Board of Trustees                           |
| From                        | Patricia Minor<br>Corporate Secretary       |
| Purpose                     | Information                                 |
| Governance Policy Reference | Governance Culture 3: Board Job Description |

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## 1. Recommendation

This report is being provided for information to the Board of Trustees. No decision is required at this time.

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## 2. Issue

Pursuant to section 147.8(1)(b) of the *Local Authorities Election Act* (LAEA), if a candidate fails to file a disclosure statement as required by section 147.4 of the LAEA, in the case of an election of trustees, the secretary of the school board shall transmit a report to that effect to the school board, which shall on its receipt, make the report public.

The deadline for candidates (who received contributions) to file a campaign disclosure statement to Elections Calgary was March 2, 2026 at 4:30 p.m. As per section 147.7(3) of the LAEA, a 10-day grace period applies following the March 2 deadline.

In accordance with this requirement, the names of the 2025 Calgary Board of Education trustee candidates determined to be non-compliant as per Part 5.1 of the LAEA are provided in Attachment I to this report.

### 3. Background

LAEA requires that the secretary of the school board shall transmit a report to the school board, which shall on its receipt, make the report public identifying school board trustee candidates who received contributions between January 1, 2025 and December 31, 2025 that failed to file their campaign disclosure statements by March 12, 2026.

### 4. Analysis

#### Filing Requirements Overview

The LAEA sets out the requirements for election finances and campaign disclosures for school board trustee candidates, as provided in Attachment II to this report. Any school board trustee candidates who received contributions between January 1, 2025 and December 31, 2025 that failed to file their campaign disclosure statements by March 12, 2026 will be included in a non-compliance report to their respective school board.

The LAEA requires that on or before March 1 of each year, a candidate for public school board trustee who has received contributions between January 1, 2025 and December 31, 2025 were required to file a campaign disclosure statement by March 1, 2026. In keeping with the *Interpretation Act*, the March 1, 2026 deadline becomes March 2, 2026 as March 1, 2026 is a Sunday.

Section 147.53 of the LAEA provides that the requirement to file a campaign disclosure statement applies to any candidate who:

- Gives a written notice under Section 147.22 of the LAEA, but does not file a nomination,
- Whose nomination is not accepted under Section 28 of the LAEA,
- Withdraws as a candidate,
- Is disqualified or becomes ineligible to continue as a candidate, or
- Is not elected.

Section 147.7(3) of the LAEA provides that if a candidate files a campaign disclosure statement no later than 10 days after the filing deadline, they will not be included in the non-compliance report in relation to campaign disclosure statements. Ten days after the March 2, 2026 filing deadline is March 12, 2026.

Section 147.7(2) of the LAEA outlines that candidates who are required to file a campaign disclosure statement and fail to file campaign disclosure statements by March 2, 2026 are subject to a late filing fee of \$500, payable to the candidate's local jurisdiction.

As set out in Section 22(1.2) of the LAEA, a person is not eligible to be nominated as a candidate for election as a school board trustee if:

- a) a report was presented or transmitted under section 147.8(1) in respect of the person,

- b) the Court did not dispense with, or extend the time for, compliance with section 147.4 by an order under section 147.8(3), and
- c) subject to subsection (1)(d.1), nomination day for the election occurs within
  - (i) the 8-year period following the day on which the secretary presented the report to council or transmitted the report to the school board, or
  - (ii) where the campaign disclosure statement required by section 147.4 has been filed with the secretary, the 3-year period following the day of filing, whichever period expires first.

The effect of non-compliance in relation to candidate campaign disclosure statements is outlined in Attachment III. Non-compliant candidates may apply to the Court of Kings Bench for relief as per Section 147.8(2) of the LAEA.

### **Offences and Fines**

A candidate who fails to comply with Section 147.4(1) of the LAEA or a candidate who has not filed their campaign disclosure statements by April 1, 2026, is guilty of an offence and may be subject to a fine of not more than \$5,000, as per Section 147.84 of the LAEA. The Alberta Election Commissioner has the authority to investigate violations or potential violations of Part 5.1 of the LAEA (Election Finances and Contributions Disclosure) and impose an administrative penalty. The LAEA provides that the Returning Officer shall, within a reasonable time, report any act or omission that likely constitutes an offence under Part 5.1 to the Alberta Election Commissioner. Accordingly, in keeping with Section 205(b) of the LAEA, the Returning Officer notified the Alberta Election Commissioner on March 2, 2026 of any candidate who failed to file campaign disclosure statements.

### **Public Access to Campaign Disclosure Statements**

Section 147.4(7) of the LAEA requires that candidate campaign disclosure statements be made available on The City of Calgary's website, while ensuring the following information set out in the LAEA is not disclosed:

- the mailing address of the candidate and of the candidate's official agent [LAEA Section 147.4(7)(a)],
- any address provided for a contributor, except any portion of an address that names a municipality or a province [LAEA Section 147.4(7)(b)], and
- any other candidate or contributor contact information not required but included on a document filed with a local jurisdiction [LAEA Section 147.4(7)(c)].

### **Courtesy Notification**

The LAEA does not require the Returning Officer, or the secretary, to provide notice of campaign disclosure statement filing requirements and deadlines to candidates. As a courtesy, Elections Calgary shared campaign disclosure requirements and deadlines by email on January 26, 2026 to candidates who filed a notice of intent to be nominated for the 2025 General Election. Physical letters were also sent to candidates via regular mail the week of February 16, 2026.

The email to candidates provided instructions to file campaign disclosure statements or advise Elections Calgary in writing that they did not receive contributions between January 1, 2025 and

December 31, 2025 and are therefore excluded from the requirement to file a campaign disclosure statement by March 2, 2026.

Candidate campaign disclosure requirements and deadlines were also communicated on the Elections Calgary website and shared at the September 11, 2025 in-person and September 18, 2025 virtual candidate information sessions hosted by the Returning Officer.

Elections Calgary has not been given jurisdiction in the LAEA to review candidates' disclosure statements for accuracy or completeness, nor provide any assurances respecting their accuracy, thoroughness or legality.

## 5. Conclusion

This report is being provided to meet the requirements of the *Local Authorities Election Act* that the secretary of the school board transmit a report to the school board identifying school board trustee candidates who received contributions between January 1, 2025 and December 31, 2025 that failed to file their campaign disclosure statements by March 12, 2026.

### ATTACHMENTS

- Attachment I: Non-Compliant Calgary Board of Education Trustee Candidates
- Attachment II: Candidate Campaign Disclosure Statement Requirements
- Attachment III: Effect of Non-Compliance in Relation to Candidate Campaign Disclosure Statement

### GLOSSARY – Developed by the Board of Trustees

Board: Board of Trustees

Governance Culture: The Board defined in policy the individual and collective behaviour required to establish a culture of good governance. These policies establish standards for how the Board performs its work, including policies that define the Board's job, its purpose and its accountability.

Board/Chief Superintendent Relationship: The Board defined in policy the degree of authority delegated to the Chief Superintendent, and set out how the Chief Superintendent's performance, and ultimately the organization's performance, will be evaluated.

Results: These policies define the outcome the organization is expected to achieve for each student it serves. The Results policies are the performance targets for the Chief Superintendent and the organization, and form the basis for judging the success of the organization and the Chief Superintendent on reasonable progress towards achieving the Results.

Operational Expectations: These policies define both the non-negotiable expectations and the clear boundaries within which the Chief Superintendent and staff must operate. The Chief Superintendent is required to comply with the Board's stated values about operational conditions and actions as set out in these policies.

**Non-Compliant Calgary Board of Education Trustee Candidates**

| <b>SURNAME</b> | <b>First Name</b> |
|----------------|-------------------|
| MCFARLANE      | Grant             |
| NISHIMURA      | Jon Kent          |
| ZUCH           | Dar               |

## Candidate Campaign Disclosure Statement Requirements

*Local Authorities Election Act, Section 147.25,147.4:*

In the case of a general election, on or before March 1 of each year, a candidate who received contributions in the previous year shall file with the secretary of the candidate's local jurisdiction a disclosure statement in the prescribed form, which must include, in respect of the previous year,

- (a) the total amount of all contributions received during the year that did not exceed \$50 in the aggregate from any single contributor,
- (b) the total amount contributed, together with the contributor's name and address, for each contributor whose contributions during the year exceeded \$50 in the aggregate,
- (c) the total amount of all contributions received under section 147.2(4),
- (d) the total amount from fund-raising functions received in the year,
- (e) the total amount of other revenue received in the year,
- (f) the total amount of campaign expenses incurred in the year,
- (g) an itemized campaign expense report setting out the campaign expenses incurred by the candidate in the year,
- (h) the total amount paid by the candidate out of the candidate's own funds in the year not reimbursed from the candidate's campaign fund,
- (i) A transfer between a local political party and an endorsed candidate of money or real property, including permitting the use of real property for the other's benefit, or a debt incurred during a campaign period for the purpose of eliminating a deficit referred to in section 147.52(1).
- (j) where the previous year is the year in which the election was held, the total amount of any campaign surplus for the campaign period, including any surplus from previous campaigns, and
- (k) where the previous year is the year in which the election was held, the amount of any deficit for the campaign period.

## **Effect of Non-Compliance in Relation to Candidate Campaign Disclosure Statements**

*Local Authorities Election Act, Section 147.8(1):*

Subject to section 147.7, if a candidate fails to file a disclosure statement as required by section 147.4

- (a) in the case of an election of municipal councillors, the secretary shall
  - (i) present a report to that effect to council on the day of the first council meeting after the filing deadline, and
  - (ii) publish the report or the information in the report on the municipality's website by no later than the day referred to in subclause (i), and
- (b) in the case of an election of school board trustees, the secretary of the school board shall transmit a report to that effect to the school board, which shall on its receipt make the report public.