Health protocol

to reduce the risk of spreading COVID-19 during the school election of September 26, 2021, with respect to authorization, financing and expenses

August 1, 2021, version

1. For school elections purposes, this protocol is an adaptation of the protocol prepared by Élections Québec for municipal elections.
Preface

Élections Québec² and the Ministère de la Santé et des Services sociaux have collaborated to develop a “Health protocol to reduce the risk of spreading COVID-19 during the school election of September 26, 2021, with respect to authorization, financing and expenses.” The document covers relevant health guidelines and recommended measures put in place for the September 26³ school election with respect to authorization, financing and expenses. The protocol is intended for electors, candidates, returning officers, including assistants designated to process applications for authorization, and the director general of the school board.

This protocol contains two types of measures:

Mandatory health guidelines

• Health guidelines govern the integration of mandatory sanitary guidelines set by the Ministère de la Santé et des Services sociaux and the government into authorization, financing and expenses procedures.

Recommendations

• Recommendations govern situations for which the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (Act)⁴ allows for discretion in determining the appropriate response.

• The protocol’s recommendations constitute adjustments to administrative measures already in place.

• To limit the risk of spreading COVID-19, the persons concerned are encouraged to implement these recommendations. In the event of an outbreak, the Ministère de la Santé et des Services sociaux might conduct an inquiry to determine if the recommendations contained in this protocol have been implemented.

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2. Élections Québec is a neutral and independent institution that reports directly to the Assemblée nationale. It supports English-language school boards in the organization of their elections and ensures that the rules on candidate financing are applied.

3. Order 2020-096 of November 25, 2020, provided for the suspension of all school election proceedings and a ban on publication of election notices. This order was repealed by Order 2021-057 of August 4, 2021. On the same date, the government issued Order 1076-2021, which sets September 26, 2021, as the date for the polls that could not be held due to Order 2020-096.

4. On August 10, 2020, the Superior Court in Quebec English School Boards Association v. Attorney General of Quebec, 2020 QCCS 2444 (CanLII) suspended the application of An Act to amend mainly the Education Act with regard to school organization and governance (SQ, 2020, c. 1) (Bill 40) with respect to English-language school boards until judgment is rendered on the merits of the application for judicial review on the grounds of constitutional invalidity of certain provisions. On September 17, 2020, the Court of Appeals made this suspension absolute. The provisions of the Act applicable to the September 26, 2021, school election are those of the Act respecting school elections (CQLR, c. E-2.3), as it read on February 7, 2020.
As long as this protocol is in force, it must be applied by all persons concerned. It may be modified in response to changing epidemiology and new findings regarding COVID-19. Given that frequent changes are likely as the lockdown is lifted, we invite you to regularly visit the Quebec.ca website for updates on health measures. All persons concerned by this protocol are responsible for complying with the health measures in effect.

For any questions regarding financing, the persons concerned are invited to contact a political financing coordinator by e-mail at financement-scolaire@electionsquebec.qc.ca, or by telephone at: 418-528-0422 (Quebec City) or 1-888-ÉLECTION (1-888-353-2846) (outside Quebec City, toll-free). If you have any questions regarding authorization, please contact the team responsible for the Register of authorized political entities of Québec (RAPEQ) by e-mail at repaq@electionsquebec.qc.ca, or by telephone at 418-528-0422 or toll-free at 1-888-ÉLECTION (1-888-353-2846).
Table – Measures for the elector, the candidate, the returning officer and the director general of the English-language school board regarding candidate financing

**Component A – Adapt procedures and forms so that more services can be offered remotely from an administrative point of view**

1. Encourage the transmission of certain documents by e-mail to the returning officer.

   Note: Supporting signatures in support of a candidate’s nomination paper, which are used for the purposes of the application for authorization made on the nomination paper (s. 72, ASEESSC), cannot be collected remotely. In this case, the rules applicable to the collection of supporting signatures for a nomination paper must be respected, in particular, this collection must be done in the presence of the elector.

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<th>Measure</th>
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<td>1.1 Application for authorization of a candidate or an elector who undertakes to run as a candidate (DGE-5801-VA).</td>
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<td>Recommendation</td>
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- The authorization request form is available online. The original must usually be submitted to the returning officer.
- The recommended measure allows for a copy of the application for authorization to be submitted to the returning officer by e-mail. This copy could then be forwarded to Élections Québec in the same manner.
- In cases where an application is filed in person with the returning officer, the measures provided for in point 7 of the table must be complied with.
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| 1.2 Signatures in support of an application for authorization of an elector who undertakes to run as a candidate (DGE-5802-VA). | Recommendation | • The required number of signatures for the seat of Commissioner is 10 and 50 for the seat of Chair.  
• The signatory must be an elector of the English-language school board.  
• Supporting signatures are normally collected directly on an appendix to the authorization form (DGE-5802-VA). The original must usually be submitted to the returning officer.  
• Depending on the recommended measure, the candidate can choose to make electors who support him or her sign the application for authorization on the appendix DGE-5802 or on the DGE-5802.1 slip if the candidate prefers to have each supporting signature collected on a separate document.  
• The candidate can e-mail the slip to the elector and, once signed, return it to the candidate in the same manner. The candidate can then send a copy of each slip to the returning officer by e-mail, along with the application for authorization.  
**Note:** Remote signatures collection cannot apply to supporting signatures for a nomination paper; such signatures must be obtained in the presence of the elector.  
• The measures provided for in point 4 must be complied with in cases where supporting signatures are collected in person. |
2. Remind the elector who undertakes to run as a candidate and the authorized candidate of the possibility of soliciting contributions remotely.

Electors can sign a provisional receipt, available online, making it possible to solicit contributions remotely. An official receipt still needs to be issued in the form prescribed by the Chief Electoral Officer. All cash contributions of $100 or more must be made by cheque.

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| 2.1 Provisional contribution receipt (DGE-5804). | Recommendation | **Official receipt:**

- The Act requires that an official receipt be issued by the person receiving the contribution.
- The “Contribution receipt” form is prescribed. It includes three copies for the following stakeholders: the elector, the Chief Electoral Officer or the director general of the English-language school board and the authorized candidate.

**Provisional receipt:**

- Provisional receipts are available online.
- An elector can print it, fill it out, sign it and send it to the candidate.
- The candidate can then issue an official receipt without the elector’s signature.
- The provisional receipt and the official receipt must be submitted to the director general of the English-language school board or the Chief Electoral Officer.

**Recommended measure:**

- Authorized candidate should be encouraged to solicit contributions remotely, using provisional receipts and accepting payments by cheque.
- The measures provided for in point 5 apply to cases where contributions are collected in person.
3. Encourage payment by an authorized candidate by funds transfer.

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| 3.1 Expenses of authorized candidates (including election expenses). | Recommendation | • Our guides and directives state that both election expenses and current expenses must be made by cheque or debit card.  
• The recommended measure makes it possible for expenses to be paid by funds transfer. |

Component B – Facilitate the application of health guidelines by educating stakeholders

To promote the application of health guidelines, we propose aligning them with processes related to the political financing of a candidate.

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| 4. Remind persons collecting signatures in support of an application for authorization of applicable health guidelines. | Recommendation aligned with mandatory health guidelines | Returning officers are encouraged to remind persons intending to apply for authorization as electors undertaking to run as candidates that supporting signatures can be collected remotely (see measure 1.2).  
In cases where supporting signatures are collected in person, the returning officer encourages the person intending to apply for authorization to collect those signatures using a health guidelines checklist that includes the following:  
• before meeting any signatories, the canvasser has confirmed that none of the following circumstances apply:  
  – he or she has been in quarantine or isolation due to travel abroad;  
  – he or she has been diagnosed with COVID-19 and is still considered a carrier of the disease;  
  – he or she is experiencing symptoms of COVID-19;  
  – he or she has been in contact with a suspected, probable or confirmed case of COVID-19 within the last 14 days;  
  – he or she is waiting for a COVID-19 test result; |
### Measure

4. Remind persons collecting signatures in support of an application for authorization of applicable health guidelines. *(suite)*

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<td>4. Remind persons collecting signatures in support of an application for authorization of applicable health guidelines. <em>(suite)</em></td>
<td>Recommendation aligned with mandatory health guidelines</td>
<td>• the canvasser has acknowledged the heightened risk of contracting a more severe form of the disease among people aged 70 and over, as well as among those affected by a chronic disease or a weakened immune system;</td>
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<td>• the rules governing physical distancing in force were respected at all times between the canvasser and the signatory and direct contact has been avoided (e.g., handshakes) when greeting a person;</td>
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<td>• the canvasser wore a face covering, in accordance with the health guidelines in force;</td>
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<td>As of August 1, 2021, the following items also appear on the list of health guidelines:</td>
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<td>• The meeting with signatories took place either:</td>
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<td>– on the exterior grounds of a private residence, while complying with the rules in effect regarding the maximum number of persons permitted;</td>
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<td>– in a predetermined location that allows for limiting gatherings to the number of persons currently permitted (e.g., outdoors, preferably by appointment);</td>
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<td>• Disinfectant was provided to allow the signatory to disinfect his or her hands both before and after handling any forms.</td>
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<td>• The signatory was encouraged to wear a face covering, in accordance with the health guidelines in force.</td>
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<td>• The signatory was encouraged to use his or her own pen.</td>
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<td>• Applicable hand hygiene rules were respected when handling any forms completed by a signatory.</td>
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| 5. Remind persons soliciting contributions of applicable health guidelines. | Recommendation aligned with mandatory health guidelines | • Political contributions are solicited under the responsibility of the candidate and that of the persons he or she designated in writing. Contributions can only be made to these persons.  
• The director general of the English-language school board invites the candidate to solicit contributions remotely using the provisional receipt available online and payment by cheque (measure 2.1).  
• In cases where contributions are solicited and collected in person, the director general of the English-language school board should encourage candidates to act in accordance with point 4 herein.  
• The director general of the English-language school board asks the candidate to explain these measures to all persons authorized to solicit contributions. |
| 6. Remind authorized candidates of health guidelines applicable to election-related activities or events. | Mandatory health guidelines              | The director general of the English-language school board encourages candidates to comply with health guidelines for indoor and outdoor gatherings. For more information on the topic, see the “Elections in the time of COVID-19” section of the Élections Québec website.                                                                                       |
| 7. Remind the director general of the English-language school board and returning officer of health guidelines applicable to in-person meetings. | Recommendation aligned with mandatory health guidelines | In particular, an in-person meeting between the director general and the candidate is required for the delivery of contribution receipts. A line of communication should therefore be opened between the returning officer granting authorization and the director general of the English-language school board. Returning officer:  
• offers remote support to answer questions from persons intending to apply for authorization. |
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| 7. Remind the director general of the English-language school board and returning officer of health guidelines applicable to in-person meetings. (suite) | Recommendation aligned with mandatory health guidelines | The director general:  
- asks candidates wishing to obtain contribution receipts to make an appointment in order to ensure that the documents are handed over in a safe manner that limits the potential for gatherings.  
At this appointment, the director general of the English-language school board must comply with the health guidelines in force, including:  
- post applicable health guidelines at the entrance to the meeting location;  
- if possible, install a physical barrier (solid transparent partition) where distancing cannot be maintained, along with any appropriate floor signage (direction of movement, compliance with the physical distancing rule);  
- remind the candidate that he or she must wear a face covering;  
- provide the candidate with hand sanitizer;  
- avoid handshakes;  
- wear personal protective equipment (e.g., a procedure mask and, if a physical barrier has not been installed, eye protection), in accordance with the health guidelines in effect;  
- disinfect any equipment used (e.g., a chair), both before and after the meeting, in accordance with the health guidelines in effect;  
- avoid sharing any objects with the candidate (e.g., a pencil);  
- disinfect hands before and after handling any documents;  
- regularly disinfect frequently touched surfaces, such as tables, counters and door handles, in accordance with the health guidelines in effect.  
The returning officer must comply with the same rules in cases where an application for authorization of the elector who undertakes to run as a candidate cannot be filed remotely as per measure 1.1. |
### Component C – File all relevant correspondence with the persons concerned

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| 8. Take all appropriate communication measures required to make sure that the health protocol information is disseminated. | Recommendation | Communication measures to be taken:  
- make our online forms available;  
- provide fillable forms whenever possible;  
- add a question and answer section to our website;  
- publish information on the school extranet;  
- distribute a summary table of measures proposed for inclusion in the health protocol;  
- provide personalized support (e-mail and telephone) to all stakeholders requiring assistance or further details. |