

Bylaw No. 1-2014 Trustee Elections

Bylaw 1-2014 STATUS: ADOPTED

Trustee Elections

Board Approved: June 25, 2014

Last Revised:

Repealed: 5-2008

**School District No.59 (Peace River South)
TRUSTEE ELECTIONS BYLAW NO. 1-2014**

A bylaw to provide for the determination of various procedures for the conduct of general school elections and other trustee elections.

Preamble:

Under the School Act, the Board of Education of School District No.59 (Peace River South) may, by bylaw, determine various procedures and requirements to be applied in the conduct of trustee elections.

In School District No. 59 (Peace River South), under Sections 45 & 46 of the School Act, trustee elections in the following trustee electoral areas are the responsibility of the following authorities:

| <u>Trustee Electoral Area</u> | <u># Trustees</u> | <u>Authority</u> |
|---|-------------------|---------------------------------------|
| City of Dawson Creek (#3) | Two | City of Dawson Creek |
| District of Tumbler Ridge (#2) | One | District of Tumbler Ridge |
| Chetwynd & Contiguous Rural Areas (#1) | Two | District of Chetwynd & School Board |
| Pouce Coupe & Contiguous Rural Areas (#4) | One | Village of Pouce Coupe & School Board |
| Trustee Electoral Area #5 | One | School Board |

Trustee elections which are the responsibility of the school board may be conducted by the school board directly or by a local government under an agreement with the school board made pursuant to Section 40 of the Local Government Act.

The Board of Education wishes to establish various procedures and requirements under the authority of the School Act for trustee elections.

The Board of Education, in an open meeting of the Board, enacts as follows:

1. Definitions

The terms used shall have the meanings assigned by the School Act and the Local Government Act, except as the context indicates otherwise.

“Election” means a trustee election including general school elections and by-elections.

“Board” or “School Board” means the Board of Education of School District No.59 (Peace River South).

“Minister” means Minister of Education

“Regional District” means Peace River Regional District

“TEA” means Trustee Electoral Area

2. Application

This bylaw applies to both general school elections and by-elections carried out by the school board and by other authorities, except as otherwise indicated.

3. Order of Names on the Ballot

The order of names of candidates on the ballot shall be in alphabetical order, in accordance with Section 106 of the Local Government Act.

4. Voting Day Registration Only

- a) As authorized under Section 54 of the Local Government Act, at each election or other voting, electors who wish to vote at such elections or other voting are required to register at the time of voting;
- b) Registration as an elector under paragraph (a) is effective only for the election or other voting for which the voting is being conducted at the time;

5. Required Advanced Voting Opportunities

As required by Section 97 (2) & (3) of the Local Government Act, the advance voting opportunity is established as follows:

- i. on the tenth day before general voting day, and,
- ii. in Trustee Electoral Area 2 and 3, (municipal TEA's) the date specified in the bylaws of the municipality.
- iii. in Trustee Electoral Area 1, 4, and 5 (non-municipal TEA's), on date(s) set by the Chief Election Officer taking into consideration additional advance voting dates set by surrounding municipalities, which may be amended from time to time.

7. Resolution for Tie Votes after Judicial Recount

In the event of a tie vote after a judicial recount, the tie vote will be resolved by lot in accordance with Section 141 of the Local Government Act.

8. Number of Nominators

For certainty, the minimum numbers of qualified nominators for a trustee candidate in trustee electoral areas 2 and 3 [municipal TEA's] is two. The minimum number of qualified nominators for a trustee candidate in trustee electoral areas 1, 4, and 5 [non-municipal TEA's] is two.

9. Nomination Deposit

No nomination deposit is required for nomination for the office of school trustee.

10. Application of Local Government Bylaws

- a) Where the School Board enters into an agreement with a local government under Section 37(1)-(2) of the School Act, under which the local government conducts a trustee election for the school board, or conducts a trustee election in conjunction with a local government election, the election bylaws of that local government, as they may be amended from time to time, apply to that trustee election or part of the trustee election, except for any bylaws determining the minimum number of nominators, the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a trustee election.

References: School Act s. 37(1)-(2), s. 38(4)-(5), s. 45(8)-(10), s. 46(4)

11. Elections conducted by School Board

The following additional provisions apply to those trustee elections that the school board conducts on its own behalf except where the board has adopted a local government bylaw to apply to the trustee election.

11.1 Additional Advance Voting Opportunities

Pursuant to Section 98 of the Local Government Act, the Chief Election Officer is authorized to establish additional advance voting opportunities for each election and to designate the voting places, establish the date and the voting hours for these voting opportunities.

11.2 Additional General Voting Opportunities (*optional*)

The chief election officer is authorized to establish additional general voting opportunities for general voting day for each election and to designate the voting places and voting hours, within the limits set out in the *Local Government Act*, for such voting opportunities.

11.3 Number of Scrutineers at Voting Places

As authorized under Section 110 (2) (d) of the Local Government Act, the number of scrutineers for each candidate that may attend at an election is a maximum of one scrutineer for each ballot box in use.

11.4. Special Voting Opportunities

As authorized under Section 99 (2) (d) of the Local Government Act, Special Voting Opportunities may be established by the chief election officer and the chief election officer is authorized to establish the location, date and voting hours, within the limits set out in the *Local Government Act*, for each special voting opportunity.

11.5 Mail Ballot Voting

- a) Subject to the Local Government Act, voting and registration may be done by mail for:
 - i. Persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity;
 - ii. Person(s) who reside in remote areas within the jurisdiction designated as School District No.59 that is remote from voting places at which they are entitled to vote; and

- iii. Persons who expect to be absent from the trustee electoral area on general voting day and at the times of all advance voting opportunities.
- b) The chief election officer has the authority to determine remote areas within the jurisdiction of School District No. 59.
- c) Procedures for mail ballot voting and registration may be established by separate bylaw.
- d) The Chief Election Officer may establish time limits in relation to mail ballot voting.

References: School Act s. 45(1), Local Government Act s. 100

12. Public Access to Election Documents

- 12.1** The School Board authorizes access to nomination documents of trustee candidates for public viewing during regular office hours of the board office, and/or online by internet or other electronic means until 30 days after declaration of the election results.
- 12.2** The School Board authorizes, but does not require, chief election officers to post nomination documents of trustee candidates for public access on any or all of websites of the City of Dawson Creek, District of Tumbler Ridge, Village of Pouce Coupe, District of Chetwynd, and Peace River Regional District, until such time as established by the bylaws of the relevant local government.
- 12.3** The School Board will make available to the public for inspection during the regular office hours of the Board’s head office, the trustee candidates’ campaign financing disclosure statements and supplementary reports until 5 years after general voting day by providing
 - a) access by internet, or
 - b) a copy of that information for inspection
- 12.4** Before providing the services under section 12, the School Board, requires the person requesting the service to:
 - a) satisfy the Board that any purpose for which personal information is to be used is permitted by section 63 of the Local Elections Campaign Financing Act, and,
 - b) provide a signed statement that
 - a. the individual, and
 - b. if applicable, any individual or organization on whose behalf the first individual is accessing, inspecting or obtaining the copy or other record will not use the personal information included in the copy or other record except for a purpose permitted under the Local Elections Campaign Financing Act.

13. Title

This bylaw may be cited as “School District No. 59 (Peace River South) Trustee Elections Bylaw No. 1-2014”

14. Repeal

“School District No.59 (Peace River South) Trustee Elections Bylaw No. 5-2008 is hereby repealed”

Date of first reading: June 25, 2014
Date of second reading: June 25, 2014
Date of third reading: June 25, 2014
Date of adoption: June 25, 2014

**The corporate Seal of School District No. 59
(Peace River South):**

Signatures:

Richard Powell, Board Chair

Flora Christenson,
Asst. Secretary Treasurer