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## SCHOOL TRUSTEE ELECTIONS BYLAW

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

### **Preamble:**

Under the *School Act*, the Board of Education may, by bylaw, determine various procedures and requirements to be applied in the conduct of school trustee elections. The Board of Education, in an open meeting, of the Board, enacts as follows:

### **1. Definitions**

The terms used in this bylaw shall have the meanings assigned by the *School Act*, the *Local Government Act*, and the *Local Elections Campaign Financing Act*, except as the context indicates otherwise.

"Areas A, B, C and D" means the electoral areas of the Regional District of Mount Waddington.

"Board" or "school board" means the Board of Education of School District No. 85 (Vancouver Island North).

"By-election means a school trustee election to fill a vacancy on the School Board in any of the circumstances described in section 36 of the *School Act*.

"Election" means a school trustee election.

"General Voting Day" means the date on which general voting for a trustee election is to take place, whether part of the general school elections or a by-election.

"Local Government" means, in relation to a municipality, the council, and in relation to a regional district, the regional board.

"Minister" means the Minister of Education.

"Regional District" means the Regional District of Mount Waddington.

**2. Application**

This bylaw applies to both general school elections and by-elections, except as otherwise indicated.

**3. Electoral Areas**

In School District No. 85 (Vancouver Island North), under section 37 of the School Act, trustee elections in the following trustee electoral areas are the responsibility of the following authorities:

<i>Trustee electoral area:</i>	<i>No. of trustees</i>	<i>Authorities</i>
<p>Area 1:</p> <p>District of Port Hardy, Area B, and the northly part of Area C, including the Reserves of the Kwakiutl and Gwa'sala-'Nakwaxda'xw First Nations*.</p>	3	Port Hardy Council
<p>Area 2:</p> <p>Village of Alert Bay, the Village of Port Alice, and Area A, and that portion of Area D comprised of Cormorant Island including the Reserves of the Namgis First Nation and Whe-La-La-U Area Council.</p>	2	RDMW
<p>Area 3:</p> <p>Town of Port McNeill, that portion of Area D on Vancouver Island and the southly part of Area C, including Hyde Creek, Nimpkish Heights and Twin Peaks*.</p>	2	Port McNeill Council

\* A legal description of the Area C division line is available at the school district office.

**4. Election Costs and Agreements**

Incremental election costs incurred by Local Governments relating to school trustee elections will be reimbursed by the Board of Education. The Secretary Treasurer is authorized to enter into agreements with Local Governments for this purpose.

**5. Resolution of 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*.

## **6. Application of Local Government Bylaws**

Where a Local Government, including the Regional District, conducts all or a part of the trustee election, the elections 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 resolution of tie votes after judicial recount, or any other matter on which the local government bylaws may not by law apply to a trustee election.

## **7. Chief Election Officer**

The chief election officer for the Regional District, will act as the chief election officer for the Board. That person is authorized to enter into agreements on behalf of the Board with Local Governments for the purpose of conducting elections.

## **8. Additional Advance Voting Opportunities**

As permitted under 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.

## **9. Additional General Voting Opportunities**

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.

## **10. Special Voting Opportunities**

In order to give electors who may otherwise be unable to vote an opportunity to do so, special voting opportunities are established for each election for patients at hospitals within the School District on the date on which the special voting opportunity is held, including those who are admitted as patients before the end of voting hours and the chief election officer is authorized to establish the location, date and the voting hours, within the limits set out in section 99 of the *Local Government Act*, for each special voting opportunity.

The chief election officer is authorized to limit the number of candidate representatives who may be present at the special voting opportunity.

## **12. Title**

This bylaw may be cited as “School District No. 85 (Vancouver Island North) Bylaw No. 4 (School Trustee Elections Bylaw)”.

**Given three readings and adopted on June 11<sup>th</sup>, 2018:**

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Board Chairperson

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Secretary Treasurer

(Corporate Seal)