



**SECTION 5000: GOVERNANCE**

**POLICY 5065: TRUSTEE ELECTIONS BYLAW**

- *Date Adopted: June 13, 2012*
  - *Revised: March 29, 2018 (Local Government Act updated section reference numbers)*
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**POLICY STATEMENT**

Trustee Elections Bylaw provides for the determination of various procedures for the conduct of general school elections and other trustee elections.

**RATIONALE**

Under the *School Act*, the Board of Education may, by bylaw, determine various procedures and requirements to be applied in the conduct of trustee elections.

**LEGISLATION/REGULATIONS**

- School Act Section 30(4), Section 37
- Trustee Electoral Area Order M304/96, amended July 21, 2011

**POLICY**

In Coast Mountains School District 82, under Section 37 of the *School Act*, trustee elections in the following trustee electoral areas are the responsibility of the following authorities:

Coast Mountains Board of Education School District 82 Trustee Electoral Area Order M304/96, amended July 21, 2011.

<b>Trustee Electoral Area (TEA):</b>	<b>No. of Trustees</b>	<b>Authority</b>
Trustee Electoral Area 1 (Kitimat)	Two	Board of Education
Trustee Electoral Area 2 (Terrace)	Two	Board of Education
Trustee Electoral Area 3 (Thornhill)	One	Board of Education
Trustee Electoral Area 4 (Stewart/Meziadin)	One	Board of Education
Trustee Electoral Area 5 (Hazelton)	One	Board of Education



## **REGULATIONS**

The Board 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.

“By-election” means a trustee election to fill a vacancy on the board of education.

“Election” means a trustee election.

“Board” or “School Board” means the Board of Education of Coast Mountains School District 82.

“Chief Election Officer” means the person appointed by the Board of Education for each general election or by-election.

### **2. Application**

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

### **3. Order of Names on the Ballot**

The order of names of candidates on the ballot will be alphabetical by surname.

### **4. 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 151 of the *Local Government Act*.

### **5. Elections conducted by the Board of Education**

The following provisions apply to those trustee elections which the Board of Education conducts on its own behalf.



**REGULATIONS** *(continued)*

**5.1 Mandatory Advance Voting Opportunities**

Unless exempted by the Minister of Education, the mandatory advance voting opportunities are established as follows:

- a. On the tenth day before general voting day; and
- b. On the third day before general voting day, except for Trustee Electoral Area 4.

For Trustee Electoral Area 4, no second advance voting opportunity to be held except any that are established under Section 5.2.

[Reference: *Local Government Act* s.107(1); *School Act* s.45(1)]

**5.2 Additional Advance Voting Opportunities**

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.

[Reference: *School Act* s.45(1); *Local Government Act* s.108]

**5.3 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 Section 106(2) of the *Local Government Act*, for such voting opportunities.

[Reference: *Local Government Act* s.106; *School Act* s.45 (1)]

**5.4 Special Voting Opportunities**

- a) 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 hospitals within the school district, (Mills Memorial, Winch Memorial, Kitimat General).

[Reference: *Local Government Act* s.109; *School Act* s.45(1)]



**REGULATIONS** *(continued)*

**5.5 Mail Ballot Voting Opportunities**

- a) As authorized under Section 110 of the *Local Government Act*, voting and registration may be done by mail for those electors who meet the criteria in paragraph (b) for each election or other voting.
- b) The following electors are permitted to register to vote by mail and to vote by mail ballot:
  - i. Those persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity;
  - ii. Persons who expect to be absent from the jurisdiction on general voting day and at the times of all advance voting opportunities.
- c) The following procedures for voting and registration must apply:
  - i. Sufficient record will be kept by the chief election officer so that challenges of the elector's right to vote may be made in accordance with the intent of Section 126 of the *Local Government Act*;
  - ii. A person exercising the right to vote by mail under the provisions of Section 110 may be challenged in accordance with, and on the grounds specified, in Section 126 of the *Local Government Act*, until 4:30 p.m. two days before general voting day.
- d) The time limits in relation to voting by mail ballot will be determined by the chief election officer.
- e) As provided in the *Local Government Act*, a mail ballot must be received by the chief election officer before the close of voting on general voting day in order to be counted for an election.

**6. Title**

This bylaw may be cited as the Coast Mountains Board of Education of School District 82 Trustee Elections Bylaw.