

## 77 TRUSTEE ELECTIONS BYLAW

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 may, by bylaw, determine various procedures and requirements to be applied in the conduct of trustee elections. This bylaw applies to both general elections and by-elections, except as otherwise indicated.

In School District No. 46 (Sunshine Coast), trustee elections are held in the following trustee electoral areas:

<b>TEA</b>	<b>Trustee Electoral Area Description:</b>	<b># of trustees</b>
1 (Upper)	Sunshine Coast Regional District Electoral Areas A and B and shíshálh Nation Government District 6, 6A, 7, 8, 9, 10, 11, 12, 12A, 13, 14, 15, 16, 17, 18, 19, 19A, 20, 20A, 21, 21A, 22, 24, 25, 26 and 27.	One
2 (Central)	District of Sechelt and shíshálh Nation Government District 1, 2, 3, 4, 5 and 28.	Three
3 (Lower)	Town of Gibsons and Sunshine Coast Regional District Electoral Areas D, E and F.	Three

The board of education wishes to establish various procedures and requirements under the authority of the *School Act* for trustee elections.

The board of school trustees, in an open meeting of the board, enacts as follows:

### 77.1 Definitions

“**Upper**” refers to Electoral Areas A and B of Sunshine Coast Regional District as defined in the British Columbia Gazette dated January 24, 1991 and the shíshálh Nation Government District as defined in Appendix 1 of Ministerial Order No. M410 dated December 4, 2017.

“**Central**” refers to the District of Sechelt as defined in the British Columbia Gazette dated July 10, 1986 and the shíshálh Nation Government District as defined in Appendix 1 of Ministerial Order No. M410 dated December 4, 2017.

“**Lower**” refers to the Town of Gibsons as defined in the British Columbia Gazette dated November 30, 1995 and Electoral Areas D, E and F of Sunshine Coast Regional District as defined in the British Columbia Gazette dated January 24.

The terms used 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.

**“Board” or “school board”** means the Board of School Trustees of School District No. 46 (Sunshine Coast).

**“By-election”** means a trustee election to fill a vacancy on the school board.

**“Election”** means a 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.

**“Minister”** means the Minister of Education.

## **77.2 Required Advance Voting Opportunities**

Unless the Board is exempted from the requirement by Order of the Minister of Education, an advance voting opportunity will be held on the tenth day before general voting day.

Unless the Board is exempted from the requirement for a second advance voting opportunity by Order of the Minister of Education, a second advance voting opportunity will be held on:

- (i) the date specified for the second required advance voting opportunity in an applicable municipal bylaw or a local government bylaw that is adopted by the Board in this bylaw to apply to the trustee election; or as specified in the respective municipal bylaw if different.
- (ii) if there is no such date, then on 3 days before general voting day.

## **77.3 Order of Names on the Ballot**

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

## **77.4 Resolution of Tie Vote 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 the *Local Government Act*.

## **77.5 Nomination Deposit**

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

## **77.6 Number of Nominators**

For certainty, the minimum numbers of qualified nominators for a trustee candidate is two.

## **77.7 Application of Local Government Bylaws**

- (a) In the Upper Electoral Area, for a trustee election held at the same time as the general local elections, the elections bylaws of the Sunshine Coast Regional District, as they may be amended from time to time, apply to that 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.

- (b) In the Central Trustee Electoral Area, the election bylaws of the District of Sechelt apply to trustee elections conducted by the District of Sechelt, except for 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.
- (c) In the Lower Trustee Electoral Area, the election bylaws of the Town of Gibsons will apply to trustee elections conducted by the Town of Gibsons, except for 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. The elections bylaws of the Sunshine Coast Regional District, as they may be amended from time to time, will apply to trustee elections conducted by the Sunshine Coast Regional District, except for 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.

## 77.8 Elections Conducted by School Board

The following additional provisions apply to those trustee elections that the school board conducts on its own behalf that are not held in conjunction with other local government elections.

### (a) 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.

### (b) 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.

### (c) Mail Ballot Voting

The chief election officer is authorized to establish procedures and time limits in relation to voting by mail ballot. As provided in the *Local Government Act*, to be counted, a mail ballot must be received by the chief election officer before the close of voting on general voting day.

### (d) Voters' Lists

Pursuant to section 69 of the Local Government Act, in the case of a trustee by-election that is not held in conjunction with other local government elections, the Board authorizes limiting registration of electors to registration at the time of voting. This registration is effective only for the election for which the voting is being conducted at that time.

**77.9 Title**

This bylaw may be cited as ‘School District No. 46 (Sunshine Coast) Trustee Elections Bylaw No. 77.’

**77.10 Repeal**

School District No. 46 (Sunshine Coast) Trustee Elections Bylaw No. 76 is hereby repealed.

Date of third reading and adoption: July 11, 2023