

**School District No.59 (Peace River South)**  
**TRUSTEE ELECTIONS BYLAW NO. 2022-01**

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, a Board of Education 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), trustee elections are held in the following trustee electoral areas and are the responsibility of the following authorities:

Area:	# Trustees	Area Description	Authority:
Electoral Area I	2	Chetwynd and Contiguous Rural Areas	Shared with District of Chetwynd, PRRD, & School District
Electoral Area II	1	Tumbler Ridge	District of Tumbler Ridge
Electoral Area III	2	City of Dawson Creek	City of Dawson Creek
Electoral Area IV	2	Rural Areas Surrounding Dawson Creek (Rural Areas surrounding Electoral Area III (Dawson Creek), including the Village of Pouce Coupe, and contiguous rural areas within the school district boundaries from the BC/Alberta border to boundary lines of Electoral Area II (Tumbler Ridge) and Electoral Area I (District of Chetwynd and Contiguous Rural Areas))	Shared with Village of Pouce Coupe, PRRD, & School District

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

“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.

## **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 in this bylaw.

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

If a municipality or authorized authority enters into an agreement to conduct all or part of a trustee election for the school board, or conducts a trustee election in conjunction with a local government election, the election bylaws of the local municipality or authority, as they may be amended from time to time, apply to trustee elections except for bylaws determining the following:

- a) minimum number of nominators;
- b) the order of names on the ballot;
- c) requiring a nomination deposit,
- d) the resolution of tie votes after judicial recount, and
- e) any other matter on which the local government bylaws may not by law apply to a trustee election.

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

The order of names of candidates on the ballot shall be in alphabetical order.

## **5. Voting Day Registration Only**

- 5.1 As authorized under Section 69 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;
- 5.2 Registration as an elector under paragraph (5.1) is effective only for the election or other voting for which the voting is being conducted at the time;

## **6. Required Advanced Voting Opportunities**

- 6.1 Unless the Board is exempted from the requirement by Order of the Minister of Education, a required advance voting opportunity will be held on the tenth (10<sup>th</sup>) day before general voting day, and
- 6.2 Unless the Board is exempted from the requirement by Order of the Minister of Education, the second advanced voting opportunity required for all electoral areas with a population of more than 5,000 will be held on the 3<sup>rd</sup> day before the general voting local election and other voting, or
  - i. in Trustee Electoral Area II and III, (municipal TEA's) on the date specified in the bylaws of the municipality, or as set by the Chief Election Officer;
  - ii. in Trustee Electoral Area I & IV (non-municipal TEA's), on the date set by the Chief Election Officer taking into consideration additional advance voting dates specified in the bylaws of surrounding municipalities and Regional District, as they may be amended from time to time;
  - iii. and for by-elections, on the date set by the Chief Election Officer no less than 2 days before general voting day.

## **7. Additional Advanced Voting Opportunities**

Additional advance voting opportunities to be held in advance of general voting day and designation of the voting places and voting hours for these voting opportunities may be established as follows:

- i. in Trustee Electoral Area II and III, (municipal TEA's) on the date(s) specified in the bylaws of the municipality, or as set by the Chief Election Officer;
- ii. in Trustee Electoral Area I & IV (non-municipal TEA's), on the date(s) set by the Chief Election Officer taking into consideration additional advance voting dates specified in the bylaws of surrounding municipalities and Regional District, as they may be amended from time to time;
- iii. and for by-elections, on the date(s) set by the Chief Election Officer no less than 2 days before general voting day.

**8. 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 the Local Government Act.

**9. Number of Nominators**

For certainty, the minimum numbers of qualified nominators for a trustee candidate in all Trustee Electoral Areas is two.

**10. Nomination Deposit**

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

**11. Mail Ballot Voting**

11.1 The following mail ballot voting procedures apply to trustee elections that the school board conducts on its own behalf:

- i. As authorized under section 110 of the *Local Government Act*, voting may be done by mail ballot and registration of election may be done by mail in conjunction with mail ballot voting.
- ii. Procedures for mail ballot voting and registration are established by separate bylaw.
- iii. The Chief Election Officer may establish time limits in relation to mail ballot voting.

11.2 Mail ballot voting provisions of trustee elections where a municipality or an authorized authority enters into an agreement to conduct all or part of a trustee election for the school board or conducts a trustee election in conjunction with a local government election, will be followed as indicated in the election bylaw of the local municipality or authority.

**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 of local municipalities and regional district to post nomination documents of trustee candidates for public access on internet or other electronic means, until such time as established by the bylaws of the relevant local government or regional district.

**13. Title**

This bylaw may be cited as “School District No. 59 (Peace River South) Trustee Elections Bylaw No. 2022-01”

**14. Repeal**

“School District No.59 (Peace River South) Trustee Elections Bylaw No. 2018-04 is hereby repealed”

Date of first reading: May 18, 2022

Date of second reading: May 18, 2022

Date of third reading: May 18, 2022

Date of adoption: May 18, 2022

**The Corporate Seal of The Board of Education of School District No. 59 (Peace River South)**

**Signatures:**



Chad Anderson, Board Chair



Melissa Panoulis, Secretary-Treasurer