



BOARD OF EDUCATION SCHOOL DISTRICT NO. 50 (HAIDA GWAII)

School District No. 50 (Haida Gwaii) Trustee Election By-Law

By-Law No. 3

DATE: April 27, 2010

This By-Law is 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 by-law, determine various procedures and requirements to be applied to trustee elections.

In School District No. 50 under section 37 of the *School Act*, trustee elections in the following trustee electoral areas are all the responsibility of the School Board:

Trustee electoral area		Number of Trustees
Area 1	Old Massett: including Masset IR #1 and IR #28	One
Area 2	North: including the Village of Masset and Tow Hill	One
Area 3	Central: including the Village of Port Clements, Tlell, and Lawn Hill	One
Area 4	Skidegate	One
Area 5	South: including the Village of Queen Charlotte, Miller Creek, and Moresby Island	One

1. DEFINITIONS

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

"By-Election" means a trustee election to fill a vacancy on the school board.

"Election" means a trustee election.

"Board" or "School Board" means the Board of Education of School District No. 50 (Haida Gwaii).

"Chief Election Officer" means the person appointed by the school board for each general election or by-election.



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2. APPLICATION

This by-law applies to both general elections and by-elections and to those trustee elections carried out by other authorities, except as otherwise indicated.

3. ORDER OF NAMES ON THE BALLOT

The order of names of candidates on the ballot will be determined by lot in accordance with sections 46 (4) of the *School Act* and section 107 of the *Local Government Act*.

4. RESOLUTION OF TIE VOTES AFTER A JUDICIAL RECOUNT

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

5. APPLICATION TO ELECTIONS CONDUCTED BY OTHER AUTHORITIES

(a) The Board authorizes the Secretary-Treasurer to enter into an agreement with a local government under section 38 (4) of the *School Act*, under which the local government conducts all or part of a trustee election for the school board, or conducts all or part of a trustee election in conjunction with a local government election.

(b) The Board does not adopt any local government by-law to change the minimum number of nominators and the minimum number of qualified nominators for a trustee candidate is two (2).

6. ELECTIONS CONDUCTED BY THE SCHOOL BOARD

6.1 Mandatory Advance Voting Opportunities

As required by section 97 (2) of the *Local Government Act* and the *School Act*, the mandatory advance voting opportunities are established as follows:

(a) on the tenth day before general voting day; and no other advance voting opportunity will be held except as established by the Chief Election Officer.

6.2 Additional Advance Voting Opportunities

As authorized under section 98 of the *Local Government Act*, the School Board authorizes the Chief Election Officer to establish additional advance voting opportunities for each election to be held in advance of general voting day and to designate the voting places, establish the date and the voting hours for these voting opportunities.

6.3 Additional General Voting Opportunities

As authorized by section 96 (1) of the *Local Government Act*, the School Board authorizes the Chief Election Officer to establish additional 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 96 (2) of the *Local Government Act*, for such voting opportunities.



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6.4 Special Voting Opportunities

In order to give electors who may otherwise be unable to vote an opportunity to do so, the School Board authorizes the Chief Election Officer to establish the location, date and voting hours for one or more special voting opportunities for each election, within the limits set out in section 99 (4) of the *Local Government Act*.

7. PUBLIC ACCESS TO ELECTION DOCUMENTS

7.1 Posting of Nomination Documents

- (a) The Board authorizes posting of nomination documents of trustee candidates on the website of School District No. 50 until thirty (30) days after declaration of the election results.

- (b) The Board authorizes but does not require the Chief Election Officer to post nomination documents of trustee candidates for public access on any or all of websites of the Village of Queen Charlotte, the Village of Port Clements, the Village of Masset, and the Skeena-Queen Charlotte Regional District, until such time as established by the bylaws of the relevant local government.

7.2 Posting of Campaign Financing Disclosure Statements

- (a) The Board authorizes posting of trustee candidates' campaign financing disclosure statements and declarations and supplementary statements and declarations on the website of School District No. 50 until one (1) year from general voting day.

- (b) The Board authorizes but does not require the Chief Election Officer to post campaign financing disclosure statements for public access on any or all of websites of the Village of Queen Charlotte, the Village of Port Clements, the Village of Masset, and the Skeena-Queen Charlotte Regional District, until such time as established by the bylaws of the relevant local government.

8. CHIEF ELECTION OFFICER

8.1 Appointment

The Board shall appoint a Chief Election Officer by March 1 of an election year. In the event a By-Election is required, the Board shall appoint a Chief Election Officer in sufficient time to comply with By-Election requirements.

8.2 Election By-Law Advice

The Chief Election Officer shall advise the Board as soon as practicable of any modifications to this By-Law that are required or advisable by change in statute or circumstance.