

**BYLAW No. 1-2025
TRUSTEE ELECTION BYLAW****DATE: OCTOBER 14, 2025**

This Bylaw is to provide for the determination of various procedures for the conduct of general school elections and other trustee elections.

PREAMBLE

In accordance with the *School Act*, the Board of Education may, by bylaw, determine various procedures and requirements to be applied to trustee elections. The Board of Education of School District No. 50 (Haida Gwaii) in an open meeting of the Board, enacts as follows:

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

Trustee electoral area		Number of Trustees
Area 1	Old Massett: including <u>G</u> aw Tlagée and Tlaagá Gáwatlaas.	One
Area 2	North: including the Village of Masset and Taaw Tldáaw	One
Area 3	Central: including the Gamadiis (Village of Port Clements), Tllaal and Lawn Hill	One
Area 4	HI<u>G</u>aagilda	One
Area 5	South: including the Village of Daajing Giids, Miller Creek, and Gwaii Haanas,	One

1. DEFINITIONS

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

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

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

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



"Election" means a trustee election.

2. APPLICATION

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

3. PUBLIC NOTICES

- 3.1. The Board identifies the following places as "public notice posting places" for the purposes of section 50 of the *Local Government Act*, and section 94 of the *Community Charter*:

- 3.1.1. the Board office entryway, and
- 3.1.2. the village offices in Old Massett and Skidegate.

- 3.2. Public notices will be published in the public notice posting places, as well as:

- 3.2.1. in local newspaper(s) at least once each week for two consecutive weeks in accordance with sections 94 and 94.1 of the *Community Charter*
- 3.2.2. on the school district website
- 3.2.3. on school district social media pages (e.g. Facebook)

4. ORDER OF NAMES ON THE BALLOT

- 4.1. The order of names of candidates on the ballot will be determined by lot in accordance with the *School Act* and the *Local Government Act*.

5. THE PROVINCIAL VOTERS LIST BE UTILIZED FOR TRUSTEE ELECTION PURPOSES

- 5.1. The most current available Provincial list of voters prepared under the Election Act shall form the register of resident electors and shall become the register of electors on the 52nd day prior to general voting day.

6. RESOLUTION OF TIE VOTES AFTER A JUDICIAL RECOUNT

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

7. ELECTIONS CONDUCTED BY OTHER AUTHORITIES

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



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

8. ELECTIONS CONDUCTED BY THE BOARD

8.1. Mandatory Advance Voting Opportunities

- 8.1.1. As required by the Local Government Act, an advance voting opportunity will be held on the tenth day before general voting day.
- 8.1.2. For the purpose of harmonizing the school trustee election with local government elections being conducted at the same time, if a local government establishes an additional advance voting opportunity, then an additional advance voting opportunity for the trustee election will be held in accordance with the bylaws of the local government under Part 3 of the Local Government Act.
- 8.1.3. If there is no local government election, then a second advance voting opportunity will be held on the third day before general voting day.

8.2. Additional Advance Voting Opportunities

- 8.2.1. As authorized under the *Local Government Act*, the 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.

8.3. Additional General Voting Opportunities

- 8.3.1. As authorized by the *Local Government Act*, the 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 the *Local Government Act for such* voting opportunities.

8.4. Special Voting Opportunities

- 8.4.1. In order to give electors within Trustee Electoral Area 2, North who may otherwise be unable to vote, an opportunity to do so, the Board establishes a special voting opportunity for the residents of Kumdis Island and the Sewall who wish to vote in an Electoral Area 2 trustee election.
- 8.4.2. The special voting opportunity will take place at the voting place for the Trustee Electoral Area 3 election, within the Village of Port Clements.
- 8.4.3. Only residents of Kumdis Island and Sewell on the north shore of Masset Inlet may vote at the special voting opportunity.
- 8.4.4. The Board authorizes the Chief Election Officer to establish the date and voting hours for the special voting opportunity for each such trustee election.



9. PUBLIC ACCESS TO ELECTION DOCUMENTS

9.1. Posting of Nomination Documents

9.1.1. The Board authorizes public access to nomination documents of trustee candidates on the website of School District No. 50 until thirty (30) days after declaration of the election results.

9.1.2. 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 Daajing Giids, the Village of Port Clements, the Village of Masset, and the North Coast Regional District, until such time as established by the bylaws of the relevant local government.

9.2. Posting of Campaign Financing Disclosure Statements

9.2.1. In accordance with the *Local Elections Campaign Financing Act*, the Board will make available to the public for inspection at the Board's head office, without charge, during the regular office hours of the Board's head office, the trustee candidates' campaign financing disclosure statements and supplementary reports, other than a mailing address or residential address of a significant contributor, and on the on the website of School District No. 50, until 5 years after general voting day for the election to which the trustee's campaign financial disclosure statements and supplementary reports relate.

9.2.2. 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 Daajing Giids, the Village of Port Clements, the Village of Masset, and the North Coast Regional District, until such time as established by the bylaws of the relevant local government.

9.2.3. Before providing the services under Section 7.2.1, the Board may require the person requesting the service to:

9.2.3.1. satisfy the Board that any purpose for which personal information is to be used is permitted by the *Local Elections Campaign Financing Act*, and

9.2.3.2. provide a signed statement that the individual, and if applicable, any individual or organization on whose behalf the first individual is accessing, inspecting or obtaining the copy or other record will not use personal information included in the copy or other record except for a purpose permitted under the *Local Elections Campaign Financing Act*.



10. CHIEF ELECTION OFFICER APPOINTMENT

- 10.1. 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.


11. MISCELLANEOUS PROVISIONS

- 11.1. If any part of this Bylaw is held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.


12. REPEAL

- 12.1. School District No. 50 (Haida Gwaii) Trustee Elections Bylaw No. 3.1 dated May 31, 2022 is hereby repealed.

Read a First Time	this	17 th	day of	June 2025
Read a Second Time	this	9 th	day of	September 2025
Read a Third Time	this	14 th	day of	October 2025
ADOPTED	this	14 th	day of	October 2025



Chair



Secretary-Treasurer