

BYLAW 3 - ELECTIONS

A bylaw to provide for the determination of various procedures for the conduct of trustee elections.

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.

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

Definitions:

Terms used shall have the meanings assigned by the *School Act* and the *Local Government Act*, except as the context indicates otherwise.

"Board" or **"School Board"** means the Board of Education of School District No. 57 (Prince George).

"Election" means a trustee election or a trustee by-election.

"Other local government" means, as applicable, the City of Prince George, the Regional District of Fraser-Fort George, the District of Mackenzie, the Corporation of the Village of McBride and/or the Corporation of the Village of Valemount.

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By-law:

1. Application

This bylaw applies to all elections conducted by the Board of Education of School District No. 57 (Prince George).

2. Agreements with Other Local Governments

Pursuant to section 38 of the *School Act*, the Board authorizes the Secretary-Treasurer and/or the Chief Election Officer to enter into agreements on its behalf with other local governments for the purpose of conducting trustee elections.

Pursuant to section 38 (5) of the *School Act*, when a trustee election is conducted by another local government or in conjunction with another local government, the bylaws of the other local governments will apply to the trustee election in conjunction with this bylaw, except where otherwise specified in this bylaw.

3. Nomination of Candidates

A candidate for the office of school trustee must be nominated by at least two qualified resident or non-resident property electors of School District No. 57 (Prince George), in accordance with the *Local Government Act*, regardless of whether the trustee election is conducted by the Board of Education, by another local government or in conjunction with another local government.

4. Mandatory Advance Voting Opportunities

When a trustee election is held in conjunction with other local government elections, the bylaw of the other local government establishing advance voting opportunities under Section 107 of the *Local Government Act* will apply to the trustee election.

In the case of a trustee by-election that is not held in conjunction with other local government elections, an advance voting opportunity as required under Section 107 (2) (b) of the *Local Government Act* is hereby established on the fourth day before general voting day.

5. Additional Advance Voting Opportunities

As authorized under section 108 of the *Local Government Act* and section 38 of the *School 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 and establish the date and the voting hours for these voting opportunities.

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6. Additional General Voting Opportunities

As authorized under section 106 of the *Local Government Act*, the Board authorizes the Chief Election Officer to establish additional general voting opportunities for general voting day for each election and to designate the voting places and voting hours for such voting opportunities.

7. Special Voting Opportunities

As authorized under section 109 of the *Local Government Act*, the Board hereby establishes a special voting opportunity for each election or other voting and authorizes the Chief Election Officer to designate the location, the date and the voting hours for the special voting opportunity.

8. Mail Ballot Voting

When a trustee election is held in conjunction with other local government elections and a local government provides access to mail ballot voting for its qualified electors in its election bylaw, the Board adopts the local government bylaw as it applies for Board electors who are also electors of the local government.

Pursuant to section 110 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 the Chief Election Officer to establish procedures and time limits in relation to voting by mail ballot.

9. 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 conducting a lot in accordance with section 151 of the *Local Government Act*.

10. 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.

11. Website Access to Candidate Nomination Documents and Campaign Financing Disclosure Statements

11.1. The Board authorizes posting of nomination documents of trustee candidates on the website of School District No. 57 (Prince George) and on the websites of the City of Prince George, the Regional District of Fraser-Fort George, the District of Mackenzie, the Corporation of the Village of McBride and/or the Corporation of the Village of Valemount until thirty (30) days after declaration of the election results.

11.2. 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 the websites the City of Prince George, the Regional District of Fraser-Fort George, the District of Mackenzie, the Corporation of the Village of McBride and/or the Corporation of the Village of Valemount until such time as established by the bylaws of the relevant local government.

11.3. In accordance with the *Local Elections Campaign Financing Act*, the Board will make available to the public for inspection during the regular office hours of the Board's head office, the trustee candidates' campaign financing disclosure statements and supplementary reports until five (5) years after general voting day for the election to which the trustee's campaign financial disclosure statements and supplementary report relate either by providing:

- a) access by internet; or,
- b) a copy of that information for inspection.

11.4. Before providing the services under section 11, the Board requires the person requesting the service to:

- a) satisfy the Board that any purpose for which personal information is to be used is permitted by Section 63 of the *Local Elections Campaign Financing Act* [restrictions on use of personal information], and;

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b) provide a signed statement that:

- i) the individual; and,
- ii) 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*.

Approved: 2022.06.22