

TRUSTEE ELECTIONS BYLAW

BYLAW NO. _____

TRUSTEE ELECTIONS

BOARD OF EDUCATION OF SCHOOL DISTRICT #40 (New Westminster)

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.

In School District #40 (New Westminster), seven trustees are elected from a single electoral area, namely, the Municipality of New Westminster.

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*, 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 Education of School District #40 (New Westminster).

“By-election” means a trustee election to fill a vacancy on the school board in any of the circumstances described in section 36 of the *School Act*.

“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

2. Application

- (a) This bylaw applies to both general school elections and by-elections, except as otherwise indicated.

3. Order of Names on the Ballot

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

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*.

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

- 5.1 The Board authorizes public access, during the regular office hours at the Board's office, to nomination documents of trustee candidates by internet or other electronic means until 30 days after declaration of the election results.
- 5.2 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 5 years after general voting day either by providing:
 - (a) Access by internet, or
 - (b) A copy of that information for inspection
- 5.3 The Board will, on request, provide a copy or other record of trustee candidates' campaign financing disclosure statements and supplementary reports for as long as they are required to be available to the public under section 5.2 for a fee of \$.50 per page.
- 5.4 Before providing the services under section 5, the Board, requires the person requesting the service to:
 - a. Satisfy the Board that any purpose for which personal information is to be used it permitted by section 63 of the *Local Elections Campaign Financing Act* and
 - 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*.

6. Application of Local Government Bylaws

In School District No. 40 (New Westminster) the election bylaws of the Corporation of the City of New Westminster apply to trustee elections conducted by the Corporation of the City of New Westminster as they may be amended from time to time.

7. Title

This bylaw may be cited as 'School District No. 40 (New Westminster) Trustee Elections Bylaw No. 2018-TE-SD40-02'

8. Repeal

School District 40 New Westminster Trustee Elections Bylaw No 1-93 is hereby repealed.

Date of first reading: _____

Date of second reading: _____

Date of third reading and adoption: _____

Board Chair

(Corporate seal)

Secretary-Treasurer

*Legal Reference: Sections 36, 37(1), 38(4)-(5), 45(1)(5)(7)(8)-(10), 46(1)(4) School Act
Sections 71(2), 72.1, 73(6) (7), 96, 97(2), 97(3), 99, 100, 103, 107, 110, 141
Local Government Act
Sections 58, 59 Local Elections Campaign Financing Act*

SD No. 40 (New Westminster)

Adopted: May 30, 2017

Revised: May 29, 2018

Modification to this document is not permitted without prior written consent from SD No. 40 (New Westminster)