

SCHOOL DISTRICT NO. 52 (PRINCE RUPERT)

MINUTES

SPECIAL OPEN BOARD MEETING

School Board Office

Conference Room

August 19, 2014 – 7:00 P.M.

Trustees Present: T. Last, J. Beil, B. Gruber, T-L Huddlestone, B. Kuntz, L. Sanchez

Staff Present: S. Jones, C. McIntyre, K. Gomez, K. Minette, A. Samoil

Regrets: None.

Call to Order

Chair Tina Last called the meeting to order at 7:00 p.m.

1. Adoption of Agenda

Motion 20140819-1.1

Huddlestone "Be it resolved by the Board of Education of School District No. 52 (Prince Rupert)
Sanchez that the agenda be approved as presented."

Carried

2. Election Bylaw 2014-15-01

Motion 20140819-2.1

Kuntz "Be it resolved by the Board of Education of School District No. 52 (Prince Rupert) that
Gruber all three readings of the School District No. 52 (Prince Rupert) Election Bylaw 2014-15-01
be read at the same meeting."

Carried Unanimously

BYLAW NO. 2014-15-01

TRUSTEE ELECTIONS

BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 52 (PRINCE RUPERT)

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 #52 (Prince Rupert), trustee elections are held in the following Trustee Electoral Areas:

TEA #	Trustee Electoral Area Description:	# of Trustees
1	City of Prince Rupert	Six
2	District Municipality of Port Edward, and portions of Electoral Areas A & C of the Skeena-Queen Charlotte Regional District, being the communities of Port Simpson (Lax Kw'alaams), Metlakatla, Dodge Cove, Oona River, Kitkatla and Hartley Bay	One

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 No. 52 (Prince Rupert).
"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

"Regional District" means the Skeena-Queen Charlotte Regional District.

2. Application

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

3. Required Advance Voting Opportunities

3.1 Unless the Board is exempted from the requirement by Order of the Minister of Education, an advance voting opportunity will be held on the tenth day before general voting day.

3.2 Unless the Board is exempted from the requirement for a second advance voting opportunity by Order of the Minister of Education, or unless s. 3.3 applies, a second advance voting opportunity will be held in Trustee Electoral Area #1, a municipal trustee electoral area, on the date specified in the bylaws of the City of Prince Rupert or, in the event of a by-election for a trustee, on the 8th day before a General Voting Day.

3.3 In Trustee Electoral Area #2, the required advance voting opportunity will be held on the tenth day before general voting day and, pursuant to Section 97(3) of the *Local Government Act*, no other advance voting opportunity will be held, except any that is established by the chief election officer.

4. Order of Names on the Ballot

The order of names of candidates on the ballot will be determined by lot.

5. 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*.

6. Nomination Deposit

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

7. Number of Nominators

For certainty, the minimum numbers of qualified nominators for a trustee candidate is two.

8. Fee for copy of Candidate Nomination Documents and Campaign Financing Disclosure Statements

8.1 The Board will, on request, provide a copy of trustee candidates' campaign financing disclosure statements and supplementary reports for up to 5 years after the date of filing for a fee of \$0.25 per page.

8.2 Before providing the services under section 8, 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*, 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*.

9. Application of Local Government Bylaws

- 9.1** For certainty, in Trustee Electoral Area #1 the election bylaw of the City of Prince Rupert will apply to trustee elections conducted by the City of Prince Rupert, except for bylaws determining the minimum number of nominators, the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a trustee election.
- 9.2** In Trustee Electoral Area #2, whether or not the District of Port Edward conducts part of the trustee election, the elections bylaw of the District of Port Edward, as they may be amended from time to time, apply to that part of the trustee election, except for any bylaws determining the minimum number of nominators, the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a trustee election.
- 9.3** In Trustee Electoral Area #2, whether or not the Regional District conducts part of the trustee election, the elections bylaw of the Regional District, as they may be amended from time to time, apply to that part of the trustee election, except for any bylaws determining the minimum number of nominators, the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a trustee election.

10. Elections conducted by School Board

The following additional provisions apply to those trustee elections that the School Board conducts on its own behalf except where the Board has adopted a local government bylaw to apply to the trustee election.

10.1 Use of Provincial List of Voters as the Register of Residential Electors

The most current available provincial list of voters prepared under the *Elections Act* is deemed to be the register of resident electors on the 52nd day prior to the general voting day.

10.2 Additional Advance Voting Opportunities

The chief election officer is authorized to establish additional advance voting opportunities for each election, to designate the voting places, and to establish the date and the voting hours for these voting opportunities.

10.3 Additional General Voting Opportunities

The chief election officer is authorized to establish additional general 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.

10.4 Special voting opportunities

In order to give electors who may otherwise be unable to vote an opportunity to do so, the School Board may establish special voting opportunities for each election and the chief election officer is authorized to establish the location, date and voting hours, within the limits set out in the *Local Government Act*, for each special voting opportunity.

10.5 Mail Ballot Voting

- (a) Subject to the *Local Government Act*, voting and registration may be done by mail for electors who reside in specified areas of Trustee Electoral Area 2, as these areas are remote.

- (b) The areas specified for the purpose of Section 10.5(a) are portions of electoral areas A & C of the Skeena-Queen Charlotte Regional District, being the communities of Port Simpson (Lax Kw'alaams), Metlakatla, Dodge Cove, Oona River, Kitkatla and Hartley Bay.
- (c) Mail ballot voting and registration will only be allowed for electors residing in the areas specified in Section 10.5(b) where voting places are not established for the General Voting Day.
- (d) The following procedures for voting and registration must apply:
 - (i) Sufficient record will be kept by the chief election officer so that challenges of the elector's right to vote may be made in accordance with the intent of section 116 of the *Local Government Act*;
 - (ii) A person exercising the right to vote by mail under the provisions of section 100 may be challenged in accordance with, and on the grounds specified in section 116 of the *Local Government Act*, until 4:30 p.m. two days before the general voting day.
- (e) To vote using a mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the chief election officer.
- (f) The chief election officer may establish time limits in relation to mail ballot voting.

10.6 Number of Scrutineers at Voting Places

The number of scrutineers for each candidate that may attend at an election is a maximum of one (1) scrutineer for each ballot box in use;

11 Title

This bylaw may be cited as 'School District No. 52 (Prince Rupert) Trustee Elections Bylaw No. 2014-15-01.'

12. Repeal

School District No. 52 (Prince Rupert) Trustee Elections Bylaw No. 2011/12-01 is hereby repealed.

Motion 20140819-2.2

Beil "Be it resolved by the Board of Education of School District No. 52 (Prince Rupert) that
 Huddleston the School District No. 52 (Prince Rupert) Election Bylaw 2014-15-01 be read a first time
 the 19th day of August, 2014." **Carried**

Motion 20140819-2.3

Kuntz "Be it resolved by the Board of Education of School District No. 52 (Prince Rupert) that
 Huddleston the School District No. 52 (Prince Rupert) Election Bylaw 2014-15-01 be read a second
 time the 19th day of August, 2014." **Carried**

Motion 20140819-2.4

Kuntz "Be it resolved by the Board of Education of School District No. 52 (Prince Rupert) that
 Sanchez the School District No. 52 (Prince Rupert) Election Bylaw 2014-15-01, be read a third time,
 finally passed and adopted on the 19th day of August, 2014." **Carried**

The Secretary-Treasurer advised that the fee for copies of documents set out in Section 8.1 was set by reference to the fee set out pursuant to the *Freedom of Information and Protection of Privacy Act*.

Motion 20140819-2.5

Kuntz "Be it resolved by the Board of Education of School District No. 52 (Prince Rupert) that
 Huddleston the Director of Human Resources be appointed the Deputy Chief Election Officer." **Carried**

3. Adjournment

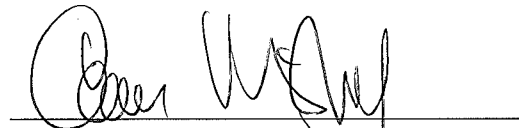
Motion 20140819-3.1

Beil "Be it resolved by the Board of Education of School District No. 52 (Prince Rupert)
Gruber that the meeting be adjourned at 7:10 pm."

Carried



Tina Last, Chair



Cameron McIntyre, Secretary-Treasurer

