

**SCHOOL DISTRICT NO. 92 (NISGA’A)**

**Policy Subject:** BYLAW NO. 2 – TRUSTEE ELECTIONS

**Date Passed:** June 9, 2009

**Date Amended:** May 21, 2019

**Description:**  
BYLAW NO. 2 – TRUSTEE ELECTIONS

**Policy No. 002**

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 School Trustees may, by bylaw, determine various procedures and requirements to be applied in the conduct of trustee elections.

In School District No. 92 (Nisga’a), under Section 46 of the *School Act*, trustee elections in the following trustee electoral areas are the responsibility of the school district:

<u>Area</u>	<u>Trustee electoral area</u>	<u># of trustees</u>
1	Nass Camp	one
2	Gingolx	one
3	Laxgalts’ap	one
4	Gitwinksihkw	one
5	Gitlaxt’aamiks	one

[Reference: Ministerial Order 285/96]

The Board of School Education of School District No. 92 (Nisga’a) wishes to establish various procedures and requirements under the authority of the *School Act* for trustee elections.

[References: *School Act* s.37, s. 38(4)]

The Board of Education of School District No. 92 (Nisga’a) in an open meeting of the Board, enacts as follows:

1. **Definitions**

The terms used in this bylaw 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” means the Board of Education of School District No. 92 (Nisga’a).

“by-election” means a trustee election to fill a vacancy on the 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.

[References: *School Act*, s.36]

2. **Application**

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. **Required Advance Voting Opportunities**

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

4. **Order of Names on the Ballot**

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

[References: *School Act* s. 46(4), *Local Government Act* ss. 116, 117]

5. **Resolution of Tie Vote after Judicial Recount**

In the event of a tie vote after a judicial recount, supervised by the court, the tie vote will be resolved by a run-off election in accordance with the *School Act* and the *Local Government Act*.

[References: *School Act* s. 46(4), *Local Government Act* ss.151, 152]

6. **Nomination Deposit**

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

[References: *School Act* ss. 45(9), 46(4); *Local Government Act* s.88]

7. **Number of Nominators**

The minimum numbers of qualified nominators for a trustee candidate in Trustee Electoral Area #1, 2, 3, 4, 5, is two.

[References: *School Act* ss. 45(9), 46(4), *Local Government Act* ss. 86(1), 86(2)]

8. **Number of Scrutineer at Voting Places**

(a) 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.

9. **Title**

This bylaw may be cited as ‘School District No. 92 (Nisga’a) Trustee Elections Bylaw No. 2.’

10. **Repeal**

School District No. 92 (Nisga'a) Trustee Elections Bylaw No. 2 dated at June 11, 2011 is hereby replaced.

Date of first reading: June 19, 2018

Date of second reading: June 19, 2018

Date of third reading and adopted: June 19, 2018

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Chairman of the Board

(Corporate Seal)

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Secretary-Treasurer