

SCHOOL DISTRICT NO. 71 (COMOX VALLEY)

TRUSTEE ELECTIONS BYLAW NO. 1B

A bylaw to provide for the determination of various procedures for the conduct of general school elections and other 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.

In School District No. 71 (Comox Valley), under section 37 of the *School Act*, trustee elections in the following trustee electoral areas are the responsibility of the following authorities:

Trustee Electoral Areas	No. of Trustees	Authority
City of Courtenay	Two	City of Courtenay
Town of Comox	One	Town of Comox
Village of Cumberland	One	Village of Cumberland
Electoral Area A & K Comox Valley Regional District	One	School Board
Electoral Area B Comox Valley Regional District	One	School Board
Electoral Area C Comox Valley Regional District	One	School Board

Trustee elections which are the responsibility of the school board may be conducted by the school board directly or by a local government under an agreement with the school board made pursuant to section 38(4) of the *School Act*.

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* and the *Municipal Act*, except as the context indicates otherwise.

- “Election” means a trustee election including general school elections and by-elections.
- “Board” or “school board” means the Board of Education of School District No. 71 (Comox Valley).
- “Regional District” means the Comox Valley Regional District.

2. **Application**

This bylaw applies to elections carried out by the School Board and by other authorities, except as otherwise indicated.

3. **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 sections 45(1) and 46(4) of the *School Act* and section 141 of the *Municipal Act*.

4. **Application of Local Government Bylaws**

- (a) Where the Board enters into an agreement with the Regional District under section 38(4) of the *School Act*, under which the local government conducts a trustee election for the school board, or conducts a trustee election in conjunction with a local government election, the elections bylaws of the Regional District, as they may be amended from time to time, applies to any trustee election carried out under that agreement, to the extent authorized by section 38(5) of the *School Act*.
- (b) Paragraph 3 of this bylaw applies to elections carried out by the Regional District under agreement with the School Board.

5. Public Access to Election Documents

- 5.1 The Board authorizes posting of nomination documents of trustee candidates on the website of School District No. 71 (Comox Valley) until 30 days after declaration of the election results.
- 5.2 The Board authorizes but does not require chief election officers to post nomination documents of trustee candidates for public access on any or all of websites of the City of Courtenay, Town of Comox, Village of Cumberland, and Comox Valley Regional District, until such time as established by the bylaws of the relevant local government.
- 5.3 The Board authorizes posting of trustee candidates' campaign financing disclosure statements and declarations and supplementary statements and declarations on the website of School District No. 71 (Comox Valley) until one year from general voting day.
- 5.4 The Board authorizes but does not require chief election officers to post campaign financing disclosure statements for public access on any or all of websites of the City of Courtenay, Town of Comox, Village of Cumberland, and Comox Valley Regional District, until such time as established by the bylaws of the relevant local government.

6. Minimum Qualified Nominators

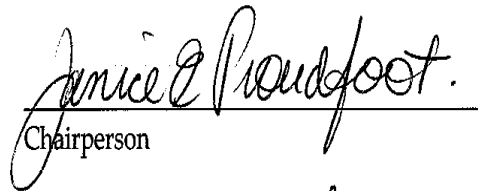
For certainty, the minimum numbers of qualified nominators for a trustee candidate in trustee electoral areas are as established by the bylaws of the City of Courtenay, Town of Comox, Village of Cumberland, and Comox Valley Regional District, respectively, or, if no number is so established, is two.

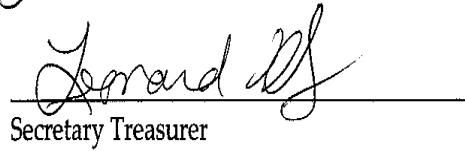
This Bylaw may be cited for all purposes as "School District No. 71 (Comox Valley) Trustee Elections Bylaw No. 1B" and is in all respects in accordance with the provisions of the Statutes of British Columbia.

Read a first time this 24 day of June, 2008.

Read a second time this 24 day of June, 2008.

Reconsidered, finally passed, and adopted this 24 day of June, 2008.


Chairperson


Secretary Treasurer