

TRUSTEE ELECTIONS BYLAW

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

WHEREAS trustees are elected from the District at large, such that the District is one (1) trustee electoral area;

AND WHEREAS Section 37 of the School Act provides that where a trustee electoral area includes both municipalities and rural areas, the Board must conduct the trustee elections for the District;

AND WHEREAS Section 38 of the School Act authorizes the Board to enter into an agreement with a local government under which the local government conducts an election for the Board and Section 38 further authorizes the Board to provide, by bylaw, that the bylaw of the local government applies to the trustee elections conducted under the agreement;

NOW THEREFORE the Board of Education of School District No. 45 (West Vancouver), in open meeting assembled, enacts as follows:

1. Definitions

1.1 In this Bylaw, the following words have the following meanings:

- "Election" means a trustee election, including Board of Education elections and by-elections;
- "Board" or "School Board" means the Board of Education of School District No. 45 (West Vancouver).

1.2 Other terms used in this Bylaw shall have the meanings assigned to them by the School Act and the Local Government Act, unless the context indicates otherwise.

2. Application

This Bylaw applies to all elections conducted by the Board.

3. Resolution of Tie Votes after Judicial Recount

If at the completion of a judicial recount, the results of a trustee election cannot be declared because there is an equality of valid votes for two (2) or more candidates, the results will be determined by lot in accordance with the procedure in Section 141 of the Local Government Act.

4. Voting Divisions

Pursuant to the authority granted in Section 45(7) of the School Act, but subject to any requirements, limits and conditions established by regulation referred to in Section 103 of the Local Government Act, the Chief Elections Officer may establish voting divisions for each election of trustees.

- 4.1 The Board agrees that the Chief Elections Officer and Deputy Chief Elections Officer appointed by the District of West Vancouver will also act on the Board's behalf.
- 4.2 The Board hereby authorizes the Superintendent and/or designate to execute an agreement with the District of West Vancouver to conduct Board of Education elections on behalf of the Board of Education, in alignment with the Local Government Act.

5. Application of Local Government Bylaws

As the Board will enter into agreements from time to time with the District of West Vancouver, the Greater Vancouver Regional District, the Village of Lions Bay and Bowen Island Municipality whereby those local governments conduct the trustee elections in Voting Divisions Numbers 1, 2, and 4 respectively, the Board hereby provides that the respective elections bylaws of those local governments (except any provisions of those bylaws that do not, by law, apply to a trustee election) apply within the respective Voting Divisions to any trustee election (or aspect of it) carried out under the agreement.

6. Title

This Bylaw may be cited as "Trustee Elections Bylaw".

Legal Reference: *Sections 35, 37, 38, 45, 46, 65, 85 School Act*
Local Government Act

(Updated September 2014)