

School District #62 (Sooke)

SCHOOL TRUSTEE ELECTIONS AND BY-ELECTIONS	No.: 1-23
	Effective: July 25, 2023

School Board Bylaw

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

Preamble

Under Part 4 of 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. 62 (Sooke), seven (7) trustees are elected from the school district. Four (4) trustees will be elected (or appointed) for the Belmont Zone. Three (3) trustees will be elected (or appointed) for the Milnes Landing Zone. The term of office is four years. Elections will be at-large for each zone.

The school district election boundaries encompass the municipalities the District of the Highlands, City of Colwood, City of Langford, District of Metchosin, the District of Sooke, the Town of View Royal and the Capital Regional District.

The Belmont Zone and the Milnes Landing Zone.

The boundary between the Belmont and Milnes Landing Zone is described as follows: "Commencing at a point on high water mark of Beecher Bay, Strait of Juan de Fuca, being the southwesterly corner of Metchosin Land District; thence in a general northerly direction along the westerly boundary of the said Metchosin Land District to the southerly boundary of Goldstream Land District; thence northerly along the said westerly boundary of Goldstream Land District to the southerly boundary of Malahat Land District (being also the southerly boundary of the Esquimalt and Nanaimo Railway Land Grant); thence in a general easterly direction along the said southerly boundary of Malahat Land District to the easterly boundary of the Victoria Water Supply Area Goldstream watershed; thence northerly along said easterly boundary of the said Goldstream watershed to the northerly boundary of School District No. 62 (Sooke), being a point approximately one-half mile west of Wrigglesworth Lake, Malahat Land District."

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 the *School Act* and *Local Government Act*.

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. 62 (Sooke).

"Chief Election Officer" means the official appointed by the Board pursuant to the School Act.

"Election" means a trustee election including general school elections and by-elections.

"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 and Child Care.

"Local Government Act" or "LGA" – means the legislative instrument that governs aspects of the election process that are not addressed by the *School Act*.

"Non-municipal electoral area" means the trustee electoral area encompasses more than one municipality and includes part of a regional district.

"School Act" – means the legislative instrument that governs the election process.

"Trustee electoral area" means the entire geographical area of School District No. 62 (Sooke)

2. Application

This bylaw applies to both general school elections and by-elections carried out by the school board and by other authorities, except as otherwise indicated.

3. Application of Local Government Bylaws

For purposes of harmonizing trustee elections with local government elections occurring at the same time, the elections bylaws of the following local governments, as they may be amended from time to time, and as they apply to Voting Opportunities including mail balloting and Use of Voting Machines will apply to voting in trustee elections carried out in conjunction with the respective local government elections, except as provided otherwise in this bylaw or in the *School Act*:

The Capital Regional District (Beecher Bay Reserve)

The District of Metchosin

The District of Sooke

The District of the Highlands

City of Colwood

City of Langford

The Town of View Royal

4. By-Elections

- For elections held at times other than a general school board election, the procedures are outlined in Part 4, Division 3 of the *School Act*.
- Advance Voting Opportunities including mail balloting, voting places, and voting hours will be decided by the Chief Election Officer.
- Use of Provincial List of Voters:

Pursuant to section 76 of the *LGA*, the Board authorizes that the Provincial list of voters shall be the register of resident electors. Pursuant to section 69 of the *LGA*, the Board authorizes the Chief Election Officer to decide if electors not on the provincial electors list are able to register at the time of voting.

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. 62 (Sooke) 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 the website of the City of Langford, City of Colwood, District of Sooke, District of Metchosin, Capital Regional District, the Town of View Royal and District of the Highlands.

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. 62 (Sooke) until one year from general voting day.

6. Order of Names on the Ballot

The order of names of candidates on the ballot will be alphabetical in accordance with the *School Act* and the *Local Government Act*.

7. 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 the *School Act* and the *Local Government Act*.

8. Number of Nominators

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

9. Nomination Deposit

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

This bylaw may be cited as Procedural Bylaw, *Board of Education of School District No. 62 (Sooke) Trustee Elections and By-Elections.*

10. Repeal

School District No. 62 (Sooke) School Trustees Elections Bylaw No. 1-18 is hereby repealed.

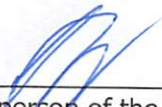
11. Title

This bylaw may be cited as "School District No. 62 (Sooke) Trustee Elections and By-Elections Bylaw No. 1-23."

READ A FIRST TIME THE 25th DAY OF JULY 2023;

READ A SECOND TIME THE 25th DAY OF JULY 2023;

READ A THIRD TIME, PASSED AND ADOPTED THE 25th DAY OF JULY 2023;




Chairperson of the Board



Secretary-Treasurer

I HEREBY CERTIFY that this is a true original of School District No. 62 (Sooke) Trustee Elections And By-Elections Bylaw No. 1-23, adopted by the Board the 25th DAY OF JULY 2023.



Secretary-Treasurer