

Public Board of Education Meeting Agenda



March 21, 2025
12:00 p.m.
School District Office / Online

1. Acknowledgement that the meeting is being held on the traditional and unceded territory of the Northern Secwepemc People.

- 1.1. Call to Order

2. Approval of Agenda

- Agenda and Minutes

THAT the agenda for the March 21, 2025, Special Public Meeting of the Board of Education be approved.

3. Reports

- 3.1. School District 27 By-Election

- RECOMMENDATION

THAT the Board of Education of School District No. 27 (Cariboo - Chilcotin) repeal Bylaw B2707-1 dated December 16, 2024.

THAT the Board of Education of School District No. 27 (Cariboo - Chilcotin) give all three readings to Bylaw B2707-2 Trustee Election and By-Elections, during the March 21, 2025, Special Public Board Meeting.

First Reading: THAT the Board of Education of School District No. 27 (Cariboo - Chilcotin) adopt Bylaw B2707-2 Trustee Election and By-Elections.

Second Reading: THAT the Board of Education of School District No. 27 (Cariboo - Chilcotin) adopt Bylaw B2707-2 Trustee Election and By-Elections.

Third Reading: THAT the Board of Education of School District No. 27 (Cariboo - Chilcotin) adopt Bylaw B2707-2 Trustee Election and By-Elections.

THAT the Board of Education of School District No. 27 (Cariboo - Chilcotin) appoint Mark Walsh as the Chief Electoral Officer pursuant to Section 36(3)(a) of the School Act to organize and implement a by-election created by the resignation of Trustee Ciel Patenaude and notify the Minister of Education and Child Care as required by Section 36(3)(c).

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4. Adjournment

***THAT** the public meeting of the Board of Education be adjourned at ____ p.m.*

5. Public Comments

TO: Board of Education
FROM: Cheryl Lenardon, Superintendent
DATE: March 21, 2025
RE: Item: 3.1 – School District 27 By-Election

BACKGROUND

On November 30, 2024, Trustee Ciel Patenaude provided her resignation to the Secretary-Treasurer pursuant to section 51 of the *School Act* (the “Act”). Subsequently, a by-election was called. However, due to procedural defects the Ministry of Education and Childcare ordered that by-election cancelled and that the process begin anew as of February 25, 2025. This Briefing Note will highlight next steps including recommended Bylaw amendments and the appointment of a Chief Electoral Officer.

It is important to note that the Bylaw and appointment must pass today to ensure compliance with election timelines.

Election By-law amendment

Staff have determined that in order to provide clarity and to ensure legislative compliance, the election Bylaw requires amendment.

The main amendment is associated with the removal of the requirement in an election to automatically have the provincial register of voters apply. Instead, the Bylaw will provide that only same-day registration shall apply to by-elections run by the School District.

The other main amendment is correcting the geographical descriptions of trustee electoral area 4 and area 5. Under the amended bylaw, and for ease of ensuring that the by-election is fully compliant, mail balloting will not be permitted for this by-election and the School District’s bylaw will apply throughout all electoral areas.

Appointment of the Chief Electoral Officer and Election Process

What are the next steps?

Given the geographic diversity of the District (e.g. it has multiple municipal jurisdictions in addition to multiple regional districts, the Board is directly responsible for the election (section 37(3)) in all but two trustee electoral areas.

Pursuant to section 36(3) the Board is required to appoint a Chief Electoral Officer within 30 days of

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February 25, 2025. Following the appointment, the Chief Electoral Officer must hold an election within 80 days of the appointment. The election would follow the requirements of Part 3 of the *Local Government Act*.

In the event that the Board moves forward with appointing a Chief Electoral Officer the following steps would be undertaken:

1. The Chief Electoral Officer will notify the BC Chief Electoral Officer of the election (section 36(3.2));
2. A date would be set for the by-election that would occur within 80 days of the appointment, section 36(4);
3. Notice of the Nomination Period would be provided;
4. The Nomination would open;
5. The election occurs including opportunities for pre-voting with one being 10 days prior to election day.
6. The elected trustee would be sworn in at a Board meeting taking place after June 16, 2025

What is the timing of the election?

The Board must appoint a Chief Electoral Officer by March 25, 2025. Once the Chief Election Officer has been appointed, the following would be the elections dates:

May 28 - Advance Voting to occur at the District Board Office
May 29 - Special Voting (Location to be determined)
June 4 - Advance Voting (Location to be determined)
June 5 - Special Voting (Location to be determined)
June 6 - Special Voting (Location to be determined)
June 7 - General voting day to occur at 150 Mile Elementary School.

By providing 6 voting opportunities the geographic diversity of the District can be respected. Further, by ensuring so many advance opportunities the idea is to limit the requirement for multiple election teams requiring training. This balance of expanded opportunities of special advanced polling while limiting election day opportunities has been well received in other elections.

Further, it should be noted that mail in balloting is a not a requirement for this election. The geographic disbursement of the advance polling is intended to address accessibility issues.

Vote Counting

The vote will be counted on election night at the general voting site (150 Mile Elementary School).

The Organization of the Election

Upon the appointment of the Chief Electoral Officer, a Deputy Chief would be appointed. Further, the Chief Electoral Officer is also able to hire experienced election staff to organize and implement all aspects of the election from advertising to reporting to voting.

Dates to Note

Bylaw Adoption Deadline: March 25, 2025 (*per School Act*)

Appointment of Chief Election Officer Deadline: March 25, 2025

Advertising for Notice of Nomination Period: March 23 – April 25, 2025

Nomination Period: Starts on April 22, 2025, at 9:00 am and ends on May 2, 2025, at 4:00 pm.

Declaration of Candidates by the Chief Election Officer: May 2, 2025 at 4:05 pm

Declaration of Election by Voting: May 12, 2025

Advertising for Notice of Election by Voting Period: May 8 – May 31, 2025

The intention is to have two consistent election officials performing duties at all 6 voting opportunities, with the Deputy Chief attending the opening day and final day of the election period in the event of higher turnout and/or illness.

Key Players

Chief Electoral Officer – Mark Walsh, J.D. is the current Secretary-Treasurer of Nanaimo-Ladysmith Public Schools. He has served as Chief Electoral officer three times in SD68 including two by-elections with one as recently as fall of 2024. He also served as Deputy Chief Electoral Officer in Greater Victoria.

Deputy Chief Electoral Officer – Karen Mathews, is the Manager of Administrative Services in the Nanaimo-Ladysmith School District and has served as Deputy Chief five times including two by-elections.

Presiding Officer – The Presiding Election Officer that will be engaged has experience in election supervisory roles in four school district and municipal elections and has also experience with five provincial and federal elections in supporting roles.

Additional Election Staff – The additional staff has experience in multiple elections including a school district by-election.

RECOMMENDATION

THAT the Board of Education of School District No. 27 (Cariboo - Chilcotin) repeal Bylaw B2707-1 dated December 19, 2024.

THAT the Board of Education of School District No. 27 (Cariboo - Chilcotin) give all three readings to Bylaw B2707-2 Trustee Election and By-Elections, during the March 21, 2025, Special Public Board Meeting.

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BOARD OF EDUCATION OF SCHOOL DISTRICT 27 (CARIBOO-CHILCOTIN)



BYLAW B2707-2 TRUSTEE ELECTION AND BY-ELECTIONS

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 No. 27 (Cariboo-Chilcotin), under Section 37 of the School Act, trustee elections in the following trustee electoral areas are the responsibility of the following authorities:

TRUSTEE ELECTORAL AREA (TEA)	GENERAL TEA DESCRIPTION (REFER TO TRUSTEE ELECTORAL AREA ORDER FOR SPECIFICS)	NO. OF TRUSTEES	AUTHORITY
TEA One	Cariboo Regional District Area H and parts of G & L	One (1)	Board of Education
TEA Two	Most of Cariboo Regional District Area G, part of L surrounding Green Lake, and Thompson Nicola Regional District Area E to 70 Mile, conforming with the southern boundaries of SD27	One (1)	Board of Education
TEA Three	District of 100 Mile House	One (1)	District of 100 Mile House
TEA Four	Cariboo Regional District Area F and part of D that lies within the boundaries of SD27	One (1)	Board of Education
TEA Five	Cariboo Regional District Area E	One (1)	Board of Education
TEA Six	City of Williams Lake	One (1)	Council of the City of Williams Lake
TEA Seven	Cariboo Regional District Areas J & part of K that lie within the boundaries of SD27	One (1)	Board of Education

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

Related Legislation: School Act [RSBC 1996, Part 4, Divisions 3-5], and provisions within the Local Government Act [RSBC 2015]

Related Contract Article: Nil Adopted: June 2014

Amended: January 2019

Amended: April 23, 2019

Amended: June 14, 2022

Amended: December 16, 2024

Amended: DRAFT

The Board of Education, in an open meeting of the board, enacts the following:

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.

- 1.1.** “Board” or “School Board” means the Board of Education of School District No. 27 (Cariboo-Chilcotin).
- 1.2.** “By-Election” means a trustee election to fill a vacancy on the school board in any of the circumstances in section 36 of the *School Act* occurring.
- 1.3.** “Election” means a trustee election.
- 1.4.** “General Voting Day” means the date on which general voting for a trustee election is to take place, whether as part of the general school elections or a by-election.
- 1.5.** “Minister” means the Minister of Education and Child Care.

2. *Application*

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

3. *Order of Names on the Ballot*

The order of names of candidates on the ballot will be arranged alphabetically.

4. *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 lot in accordance with section 151 the *Local Government Act*.

5. *Number of Nominators Required*

The minimum number of qualified nominators for a trustee candidate is two.

6. *Website Access to Candidate Nomination Documents and Campaign Financing Disclosure Statements*

6.1. The Board shall provide public access, during regular office hours at the Board's office, to nomination documents of trustee candidates from the time the documents are delivered until 30 days after the declaration of the election results. The Board authorizes the posting of nomination documents on the website of the Board of Education for that period.

6.2. The Board will make available to the public for inspection at the Board's head office, without charge, during the regular office hours of the Board's head office, the trustee candidates' campaign financing disclosure statements and supplementary reports, other than a mailing address or residential address of a significant contributor, until 5 years after general voting day for the election to

which the trustee's campaign financial disclosure statements and supplementary reports relate.

- 6.3. The Board will, on request, provide a copy or other record of trustee candidates' campaign financing disclosure statements and supplementary reports for as long as they are required to be available to the public under section 6.2 for a fee of \$0.50 per printed side of a page.
- 6.4. All persons or organizations requesting information under section 6 will be advised not to use personal information included in the copy or other record except for a purpose permitted under the *Local Elections Campaign Financing Act*. The Board may require the persons or organizations requesting the service to satisfy the Board that the purpose for which the personal information is collected is permitted by section 63 of the *Local Elections Campaign Financing Act* and/or require the person or organization to sign a statement to this effect.

7. *Required Advance Voting Opportunities*

The following additional provisions apply to trustee elections:

- 7.1. Unless the Board is exempted from the requirement by Order of the Minister of Education and Child Care, an advance voting opportunity will be held on the 10th day before general voting day.
- 7.2. Unless the Board is exempted from the requirement for a second advance voting opportunity by Order of the Minister of Education and Child Care, or unless 7.3 applies, a second advance voting opportunity will be held as established by the Chief Election Officer.
- 7.3. In Trustee Electoral Areas one (1), two (2), four (4), five (5), and seven (7), if the populations of the trustee electoral area are 5,000 or less, the required advance voting opportunity will be held on the tenth day before general voting day and no other advance voting opportunity will be held, except any that are established by the Chief Election Officer.

7.4. Additional Advance Voting Opportunities

The Chief Election Officer is authorized to establish additional advance voting opportunities for each TEA where the Board conducts the Election on its own behalf and to designate the voting places and establish the date and voting hours of these voting opportunities.

7.5. Additional General Voting Opportunities

The Chief Election Officer is authorized to establish additional general voting opportunities for general voting day for each TEA where the Board conducts the Election on its own behalf and to designate the voting places and voting hours within the limits set out in the Local Government Act for such voting opportunities.

7.6. Challenge of Elector

- 7.6.1.** A person exercising the right to vote under the provisions of this bylaw may be challenged in accordance with and on the grounds specified in section 126 of the Local Government Act until the time the person receives a ballot.

7.7. Elector's Name Already Used

- 7.7.1.** Where, upon receiving a request for a ballot, the Chief Election Officer determines that another person has voted in the elector's name, the provisions of section 127 of the Local Government Act shall apply, so far as applicable.

7.8. Replacement of Spoiled Ballot

- 7.8.1.** Where an elector unintentionally spoils a ballot before it is deposited in the ballot box, the elector may request a replacement ballot by giving the spoiled ballot to the presiding election official.

8. *By-Elections*

- 8.1.** As authorized under Section 69 of the *Local Government Act*, at each election or other voting, electors who wish to vote at such election or other voting are required to register at the time of voting;
- 8.2.** Registration as an elector under paragraph 8.1 is effective only for the election or other voting for which the voting is being conducted at the time.

9. *Repeal*

School District No. 27 (Cariboo-Chilcotin) Trustee Elections Bylaw No. B2707-1, dated December 16, 2024, is hereby repealed.

10. *Title*

This Bylaw may be cited as "School District No. 27 (Cariboo-Chilcotin) Trustee Election and By-Election Bylaw No. B2707-2".

READ A FIRST TIME THE 21st DAY OF MARCH 2025;

READ A SECOND TIME THE 21st DAY OF MARCH 2025;

READ A THIRD TIME, PASSED AND ADOPTED THE 21st DAY OF MARCH 2025.

Angie Delainey
Board Chair

Cheryl Lenardon
Acting Secretary-Treasurer
