

NANAIMO LADYSMITH PUBLIC SCHOOLS

BUSINESS COMMITTEE  
PUBLIC MEETING

ACTION SHEET

DATE: November 10, 2021  
TO: Business Committee  
FROM: Mark Walsh, Secretary-Treasurer  
SUBJECT: Trustee Elections Bylaw No. 2

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**Recommendation**

***That the Business Committee recommends that the Board of Education of School District No. 68 (Nanaimo-Ladysmith) give all three readings of the amended Bylaw No. 2 – Trustee Elections, during the November 18, 2021, Special Open Board Meeting; and that the Board of Education of School District No. 68 (Nanaimo-Ladysmith) adopt the amended Bylaw No. 2 – Trustee Elections during the November 18, 2021, Special Open Board meeting.***

**Background**

This memo will outline recommended changes to the Trustee Election By-Law. The changes are intended to modernize the bylaw as well as address a number of gaps in the bylaw that impact the administration of an election that is administered by the Board directly. The changes should not impact our partnerships with our regional and municipal partnerships for the general election to be held in fall of 2022.

**Discussion**

In drafting the changes to the bylaw, staff have reviewed both the *School Act* and the *Local Government Act* (the “LGA”) to ensure compliance with all legislative requirements. We have also reviewed other school district bylaws, including SD 57 (who is currently in the process of a by-election).

Staff are recommending that the Chief Electoral Officer (when an election is administered directly by the Board) is provided discretion to name the date of the second opportunity for pre-voting. The LGA requires at least two pre-voting opportunities, one 10 days prior to the main election day and one other. The Board’s bylaw currently sets the second opportunity for pre-voting to be 3 days prior to the main voting day. We recommend that the Chief Electoral Officer has the discretion to set the second day.

Staff is also recommending that the bylaw allow for the adoption of the provincial electors list as the formal list for the election at the discretion of the Chief Electoral Officer. To do otherwise would be a significant amount of work for a minor benefit. The alternative would be to allow for same day registration only.

Finally, we are recommending that the Chief Electoral Officer is provided the discretion to create “special” voting opportunities. For instance, we may wish to limit the number of polling stations for our advance voting days but then target certain areas (e.g. Gabriola) for special opportunities. This limits the requirements for additional personnel while still providing robust opportunities to vote across the District.

The amendments would require three readings which can be done in one evening in the event that there is unanimous consent to do so. We note that we will provide the draft amended Bylaw to our rights holders and partners for comment.

**Appendix A:** Draft revised Trustee Elections Bylaw No. 2

