



# School Council Elections

## Returning Officer's Manual



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## MESSAGE FROM CHIEF ELECTORAL OFFICER

Welcome to the Elections Yukon team. For me, and many others, there is pride and contribution in helping deliver democracy. I thank you for your engagement to lead and administer elections in Yukon.

Our mandate is to administer the election and support the elector's right to vote and be a candidate. Our mission is to deliver fair, compliant and impartial elections. We are guided by the *Elections Act and Education Act* statutory provisions and election processes and procedures. This ensures the integrity of the process, the public confidence in our organization, and the validity of the election results.

Your work as a Returning Officer is key to our mission. I count on your leadership, professionalism, and your attention to detail to prepare for and deliver the election. This means many things. It is a voter-centric approach; we are positive, knowledgeable, and respectful of the elector. We protect their privacy of the process and the confidentiality of the documents. We follow the processes and complete the required records. If in doubt we ask questions. To this end, Elections Yukon will provide you with the training and guidance to support your work.

Elections have been in place for thousands of year. The work at the polls is a long-standing and the processes are well established. I had full confidence in our training and your ability to do the work to a high standard. You are part of a larger team with Elections Yukon headquarters, the field staffs you lead, and the electorate we serve.

It is my job to ensure you are prepared to work the poll and have the knowledge to serve electors and the processes. In doing so, I wish to acknowledge my confidence in you and recognize your personal commitment in being a Returning Officer. You are making yourself available, taking training, and working on behalf of Elections Yukon to help administer an election.

You are a major part of helping determine who is elected and in ensuring the processes were fair, compliant and impartial. In return, you can expect the support of myself and the full Elections Yukon team. It is a partnership.

In closing, let me pass on my appreciation. I look forward to working with you as we, once again, look to the delivery of another successful electoral event. Welcome aboard!

Max Harvey

Chief Electoral Officer

## GENERAL INFORMATION

### SCHOOL COUNCIL ELECTIONS

School Councils in the Yukon are consultative institutions enshrined in the law under the authority of the *Education Act*, and provide a way for Yukon residents to get involved in the education of their children. They review school plans and policies and provide advice to school management on everything from staffing needs to school programming to discipline policies.

School council members are elected to represent the territory's 26 attendance areas, 3 of which also receive guidance from the Catholic Episcopal Corporation with respect to the residency of electors and candidates as per O.I.C. 1991 / 231 – Separate School Regulation.

As per the *Education Act*, general elections for members of councils are held not sooner than 23 months and not later than 25 months from the preceding general election on a date specified by the Minister of Education.

### ADMINISTRATION OF SCHOOL COUNCIL ELECTIONS

Elections of members of school councils are the responsibility of the Chief Electoral Officer (CEO) of Yukon who also has responsibility for elections of trustees of school boards and members of the Yukon Legislative Assembly.

The Assistant Chief Electoral Officer (ACEO) plans the administration of all elections conducted by the CEO. The ACEO reports to the CEO and Returning Officers report to the CEO through the ACEO.

A Returning Officer (RO) is appointed for each attendance area to administer the election of members of a school council. ROs must be qualified as electors in the attendance areas for which they are appointed and are entitled to vote in these elections. ROs are appointed in writing by the CEO and are required to take an oath of office. The appointments end when all the duties which are required for the election have been completed.

### OVERVIEW OF RETURNING OFFICER'S RESPONSIBILITIES

This manual contains the information you will need to administer the school council election in your attendance area. The RO is responsible for the preparation and delivery of a fair, compliant and impartial electoral process. The RO is governed by the *Education Act*, and carries out the duties of the office on behalf of the Chief Electoral Officer of Elections Yukon.

Your responsibilities as RO, which are prescribed by the *Education Act*, include:

- posting and removing public notices
- preparing for nominations
- accepting nominations from candidates
- notifying candidates and Elections Yukon of nominations or acclamations, as appropriate
- providing notice of election results to candidates and Elections Yukon

If an election is required in your attendance area, your responsibilities will include:

- recruiting and training election staff
- managing the election
- conducting the Addition of Votes and Recount, if necessary
- reports and returns

### **RETURNING OFFICER'S REMUNERATION**

You will be paid for your work and reimbursed for out-of-pocket expenses incurred. Your social insurance number will be required to process your fee and expenses claims.

Your fees, and fees of all election officers, are taxable income. A T4A form will be issued by the Government of Yukon for income tax purposes for earnings over \$500. Canada Revenue Agency rules require that all income is reported whether or not a T4A is issued.

An accountable advance of \$100 can be provided, on request, to offset miscellaneous expenditures. Additional information is provided in the "Tariff of Fees" section of this binder (Tab 4).

### **HEALTH AND SAFETY PRECAUTIONS**

If it becomes necessary during the election, health and safety precautions will be implemented to protect you, the electors, and the public. We have consulted extensively, procured protective gear, and developed policies and procedures to ensure due diligence in protecting all personnel.

### **Icons Used Throughout This Manual**

**Key point**



**Reminder**



**Tip**



## KEY DATES IN THE ELECTION PERIOD

The Minister of Education is the authority to approve election dates. The CEO, in consultation with the Department and other stakeholders recommend the dates of the election period.

The election period is at least 21 days from the date of the publication of the Notice of Nominations to Polling Day (the day on which voting takes place). As the RO, you have a number of activities to complete in advance of the election period and additional activities to complete after Polling Day.

There are four key dates in the election period:



Day 21 or 28	Notice of Nominations
Day 11	Close of Nominations 10 AM to 12 noon
Day 0	Polling Day (if required)
Day -1 or Day -2	Addition of Votes

An election period calendar containing additional detail appears in Tab 2 of this binder. Specific dates for your election will be included to assist in your planning.

## ELECTION TERMS, DEFINITIONS AND ABBREVIATIONS

The following terms from the *Education Act* and *Education Act Regulations* (Tab 3) are used in this Manual:

*acclamation* - candidates are elected (acclaimed) without an election being held when the number of candidates is equal to, or less than, the number of positions on a school council.

*addition of votes* - the Returning Officer confirms the votes for each candidate by adding the numbers on the statement of votes.

*applicant candidate* - a person who has picked up a Nomination Paper but has not filed it with the Returning Officer.

*Assistant Chief Electoral Officer (ACEO)* - the position responsible for election administration and training of Returning Officers.

*attendance area* - the area designated by the Minister for each school council.

*ballot* - marked by the voter; deposited in the ballot box by the Deputy Returning Officer

- rejected - marked, deposited but not accepted as a valid ballot and not counted
- spoiled - returned to the Deputy Returning Officer for a replacement ballot; not deposited in ballot box or counted (during the hours of polling)

- unused - not distributed; still attached to the book.

*ballot box* - marked ballot papers are placed in box controlled by DRO.

*by-election* - an election held to fill a vacant position on a school council.

*candidate* - a person nominated pursuant to the *Education Act*, and accepted as a valid candidate by the Returning Officer.

*candidate's representative* - a person who represents a candidate at a polling station; appointed in writing by the candidate.

*Catholic Schools* – In the Yukon, 3 schools are so designated: Christ the King Elementary School, Holy Family Elementary School and Vanier Catholic Secondary School.

*Chief Electoral Officer (CEO)* - the person appointed pursuant to the *Elections Act* responsible for elections under the *Education Act*.

*Close of Nominations* - a Thursday, 11 days before Polling Day. (10 AM – 12 noon)

*counting of the votes* – conducted immediately after 8:00 PM once all electors remaining in the room have voted. Numbers used to complete Statement of the Vote.

*declaration of results* - the Returning Officer completes a report of the election for the Chief Electoral Officer (Form 510).

*Deputy Returning Officer* - a person appointed as an election officer.

*Election* - a General Election for Members of all School Councils.

*Elections Yukon* - the independent office established for the conduct of territorial, school council and school board elections, also known as the Office of the Chief Electoral Officer.

*election officer* - the Chief Electoral Officer, Assistant Chief Electoral Officer, Returning Officer, Deputy Returning Officer and Poll Clerk.

*elector* - a person who has the right to vote in an election for the Yukon School Council.

*mail-in voting* – a method of voting when not able to vote in person.

*Minister* - the Executive Council Member responsible for the Department of Education.

*Nomination Paper* - the document filed by a candidate.

*Notice of Nominations* - the information posted and published to invite candidates to contest an election for the purpose of becoming a member of a school council.

*“Parent”* - the biological parents, the adoptive parents by custom or otherwise, the persons legally entitled to custody, or the persons who usually have the care and control of the child.

*poll book* - a written record of voters at a polling station.

*Poll Clerk* - a person appointed as an election officer to assist the Deputy Returning Officer.

*polling booth* - a three-sided voting compartment.

*Polling Day* - the official day for voting.

*polling place* - the location of the polling station.

*polling station* - the station staffed by the Deputy Returning Officer and the Poll Clerk to accept votes on Polling Day.

*recount* - the Returning Officer counts each ballot, in front of witnesses. When two or more candidates for the last position on school council receive an equal number of votes, a recount is ordered by the RO.

*Returning Officer* - a person appointed as an election officer pursuant to the *Education Act*, who is responsible for the election for an individual school council.

Returning Officer's Report of Proceedings - detailed observations and comments on the election including support, candidate and elector engagement and interest, training materials, and recommendations for future RO training, initiative or ideas on policy changes (Form 512)

*statement of votes* - a written record prepared after the count of the number of votes each candidate received.

*vacancy* - insufficient members are represented on a council.

*voter* - see "elector".

*Writ of School Election* - A writ is a formal written order from the Chief Electoral Officer instructing the returning officer in the school attendance area to hold an election or by-election to elect a member of a school council.

The following common abbreviations appear in this Manual and will be used in training:

*ACEO* - Assistant Chief Electoral Officer      *CEO* - Chief Electoral Officer

*DRO* - Deputy Returning Officer      *PC* - Poll Clerk

*RO* - Returning Officer



### The Writ / Return of the Writ

The writ is your direction to conduct the election in your attendance area. It details attendance area, school, and key dates: Notice of Nomination, Close of Nomination and Polling Day. The Return of the Writ is to be completed and returned to the Chief Electoral Officer on the completion of Declaration of Candidates Elected.

See sample Tab 6: Part 3

### After Your Appointment

The RO is responsible for the preparation and delivery of the school election process. After your training, take the time to review your responsibilities and the planning activities, preparations, and scheduling required.

### RO Contact

On public notices, such as the Notice of Nominations, you may choose to list either your telephone number or your email address, or both, whichever you feel most comfortable with. You may wish to set up a Gmail account, e.g. [nameofyourschoolRO@gmail.com](mailto:nameofyourschoolRO@gmail.com), to be used on these notices, and specifically for school council elections. If you do so, please make sure to let EYHQ know.

However, once you've established contact with a potential candidate, you should give them your personal phone number. It's also essential that you check your voice mail and email messages frequently throughout the day.

### Electronic Mini-Pack

Prior to training you will receive an Electronic Mini-pack, which will include:

- Returning Officer's Manual
- Manual for Deputy Returning Officer and Poll Clerk
- Form 100 (a) Notice of Nominations
- Form 120 List of Candidates
- Form 122 List of Candidates
- Form 501 Notice of Candidates Elected



Please read both manuals prior to training.

The forms are to be completed by you at appropriate times. How and when will be made clear further into this manual.

## **Reviewing the Election Forms and Supplies**

Check your supplies on receipt to make sure you have received all the items you will need to run the election, and that you understand their purpose and use (to issue, complete and return as appropriate). See Tab 6: List of Forms (Part 1) and List of Supplies (Part 2).

If you are missing any items, or do not think you have enough of a particular item, contact the ACEO immediately. Providing this notice well in advance will ensure that Elections Yukon has sufficient time to ship the supplies to you.

## **Select Close of Nominations Location**

Select a place to accept Nomination Papers at the Close of Nomination that has level access, is easy to find and has a private area to meet with candidates.

A room in the school is typically used for this. Notify Elections Yukon of the Close of Nominations location by Day 21 (or Day 28 in a 4-week election).

## **Attendance Area**

A description of your attendance area, a map, and your attendance area number, will be distributed during training.

## **The Electoral Calendar**

An electoral calendar based on specific dates and milestones, is included in Tab 3 of this binder. It is organized so that Polling Day is Day 0, and Notice of Nominations would be Day 21 or Day 28. Close of Nominations, Day 11, is 11 days before Polling Day. Activities past the Polling Day would be indicated with a – sign, such as Day -1 for Addition of Votes.

It is useful to note any electoral activity on your election calendar or in your notes to assist in completing your Returning Officer's Report of Proceedings (Form 512). This may be information such as number of calls, types of questions, appointments, and observations.

## **Returning Officer's School Election Report**

After the election, ROs are to email a Returning Officer's Report of Proceedings (Form 512) to the CEO on their observations and comments on the election. This includes support, candidate and elector engagement and interest, training materials, and recommendations for future RO training. Initiative or ideas on any potential policy changes are welcome. It is your direct input to the CEO on how to improve electoral readiness and delivery.

## Identify Election Officers

Identify and confirm availability of one Deputy Returning Officer (DRO) and one Poll Clerk (PC) that in the event of an election, you will engage to work at the polling station. Do not appoint them until after the Close of Nominations. It is preferable that the DRO and PC are qualified electors in the attendance area.

## Mail-In Ballots for RO, DRO and Poll Clerks



ROs, DROs and PCs are expected to vote by mail-in ballot as they are not available to vote during polling day. This should be done at the DRO/PC training session.

## Preparing Candidate Nomination Kits

After your training session, prepare nomination kits for pick-up by candidates. Each kit should include:

- Candidate Nomination Paper [Form 100(a)]
- Completing and Filing a Nomination Paper (Form 100(b))
- Statement of Ineligible Candidate [Form 100 (c) (B2)]
- Guide for Candidates in a School Council Election (Form 102)
- Appointment of Candidate's Agent [Form 101 (6/6A)]
- Attendance Area map

On the same date that you post the Notices of Nominations, you should place nomination kits in the school office. Keep several at home in case someone asks to pick up a nomination kit from you.

Nomination forms will also be available online for download at [www.electionsyukon.ca](http://www.electionsyukon.ca).



Nomination forms must be returned in person to the Returning Officer.

Additional nomination kits will also be available at Elections Yukon. You will be notified of any nomination kits that are picked up at Elections Yukon by candidates in your attendance area.

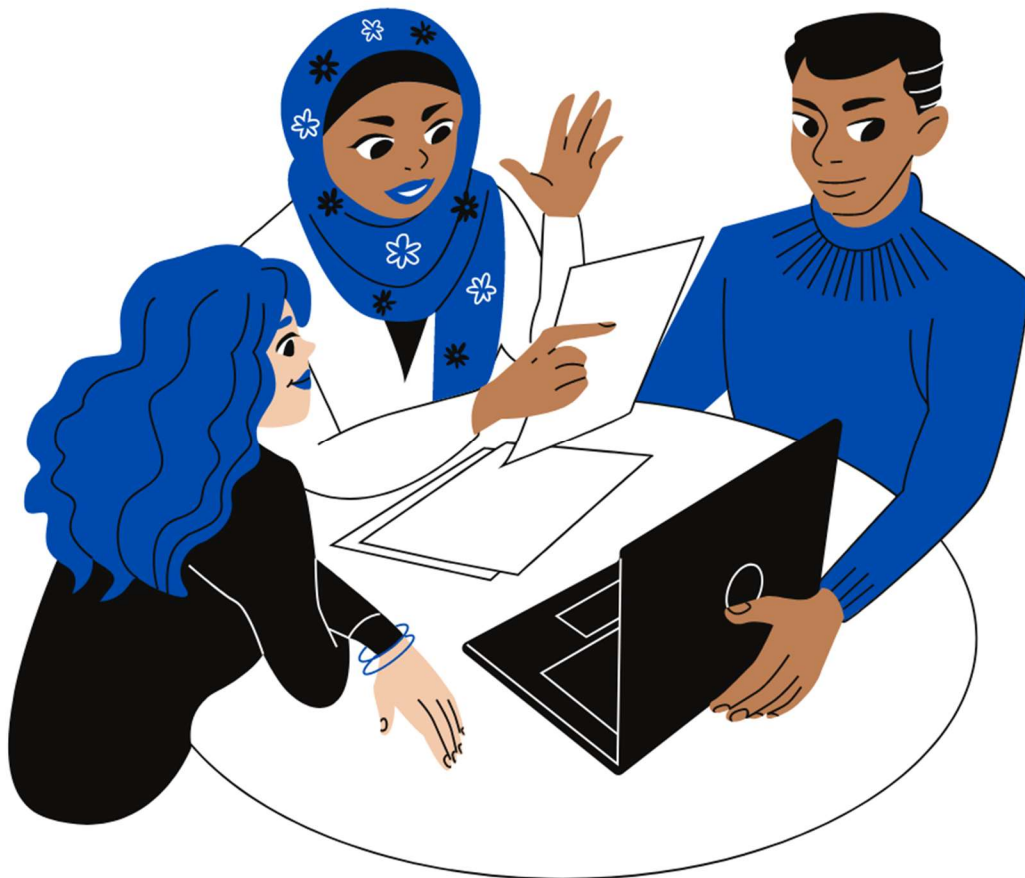
## Additional Guidance for Catholic School Council Elections

You will be advised if your school is designated a Catholic School. The contents of the nomination kit will be the same for all attendance areas. However, ROs for the three Catholic Schools will also receive resources that reflect the specific requirements for the election of a school council

that is established on the basis of religion. This includes eligibility criteria for candidates, electors as well as corresponding forms and reports.

### **Liaison with Key Local Stakeholders**

Once training has taken place, inform any key stakeholders of your appointment as RO for the School Council Election, and your duties in managing a fair, compliant and impartial election. Stakeholders may include such persons as the school principal, the mayor, the chairs of local organizations and First Nations elders. This promotes awareness of the election as well as promoting candidate and elector participation. During these meetings, encourage the use of mail-in voting, not only to increase voter participation, but to reduce the number of electors at the polls on polling day.



## **Establishing the Locations in the School to be Used During the Election Period**

On or before the Friday before you post the Notice of Nominations, meet with the principal, or a representative of the principal, to confirm accessible locations in the school for:

1. A meeting with candidates (if requested)
2. Close of Nominations
3. Polling Day (if required)
4. Addition of the Vote (if required)

When choosing a location for voting, keep in mind that the polling booths must be located so that electors can mark their ballots in privacy and without interruption.

Arrange for:

- one table and chairs for the DRO and PC,
- chairs for the candidates' representatives,
- one large table or two smaller ones for the polling booths, and
- use of a telephone or cell during the hours of voting, of which the ACEO is to be provided with the number. This may be the same phone number you have already provided.

Advise Elections Yukon if there are any accessibility restrictions or other areas of concern.

During this meeting, request the use of WiFi and of a printer, if these are needed, at Close of Nominations, on Polling Day and after the Addition of the Vote.

## **Posting Notices of Nominations**

Complete and print 4 copies of Notices of Nominations [Form 005 (C1/C2)] from your Electronic Mini-Pack for posting in your attendance area in four or more conspicuous places in the community.

The Notice of Nominations provides your name and/or email information so that prospective candidates may contact you to obtain Nomination Papers. It will also identify the place for filing Nomination Papers from 10 a.m. to 12 noon, at the Close of Nominations. Close of Nominations is the last opportunity for candidates to file.



Late applications will not be accepted.



Encourage candidates to file their Nomination Papers early! This will ensure they have time to resolve potential errors. As well, placement of names on the ballot is in the order in which they are approved. Ensure candidates are aware of this.

Use the date on the notice published by the CEO, which will be provided to you. Nominations can be accepted as of the date of the notice. Post Notice of Nominations in four or more conspicuous places, from among the following suggested places:

- the school
- First Nation offices
- post office
- stores
- restaurants
- libraries
- community halls, or any other places where members of the public gather.



Ask permission before you post on, or in, public or private buildings. Do not post notices on utility poles, as it is a safety issue.

Remember where you placed the posters. You must remove all notices. This should be done as soon as possible, and no later than 7 days after Polling Day.

### RO Duties on Polling Day

As RO, you also have responsibilities for the overall conduct of the election, for the count of the mail-in poll **and for preparing the Final Statement of the Vote**. The ballots for both polls are to be counted after the poll closes on Polling Day.



You can act as the DRO (no additional remuneration) but normally would do so only to fill in due to some needed contingency.

## NOMINATIONS

### Nomination

A candidate can file a Nomination Paper from the date officially set for the Notice of Nominations which is between Day 28 and Day 21 and may vary from election to election. (The Close of Nominations is a Thursday, eleven days before polling day, as indicated on the electoral calendar).

### Candidate Information on School Councils

The Department of Education is the authority for school council information. If questions come up with respect to the number of members, role of school councils, etc., or to Lori Choquette, School Council Liaison at the Department of Education at 667-8226 or [Lori.choquette@gov.yk.ca](mailto:Lori.choquette@gov.yk.ca)

### Candidate Guide (Form 102)

To assist the candidate and provide clarity of procedures, walk through the Candidate Guide and have candidate fill in the blanks. These spaces in the forms for the RO to fill in as noted below.

- attendance area (e.g. Fireweed Elementary School)
- Indicate if this is a General Election or a By-election
- the number of school council members (see Tab 8 of Returning Officer's binder)
- the location where the RO will be accepting Nomination Papers from 10 am until 12 noon at the Close of Nominations
- the name of school (and room if possible) [e.g. Fireweed Elementary School (gym)] where the election will be held on Polling Day (if an election is required)
- the date, time and location of the Addition of the Votes
- name of Returning Officer and contact information
- contact information, telephone and email.

### Eligibility of Candidates

A candidate must be eligible as an elector. A person may file a Nomination Paper only in a School Council Election in which he or she is an eligible elector.

In order to be eligible to vote in a Yukon school council election, as of Polling Day an elector must:

- be a Canadian citizen
- be at least 18 years of age and
- be qualified to vote in the attendance area on the basis of either:
  - being a resident in the attendance area for three months, or
  - being a parent of a child who is in attendance at a school in the attendance area.

To be eligible to vote in a Catholic school council election, the elector, on Polling Day, must be:

- a Canadian citizen

- at least 18 years of age
- meet at least one of the following qualifications:
  - be the parent/guardian of a child in attendance at a Catholic School
  - be a resident in the attendance area who is a registered member of Sacred Heart Cathedral parish or Our Lady of Victory parish.
  - have a written approval for residency from the Bishop of the Episcopal Corporation of the Diocese of Whitehorse.

### **Qualifications of Candidates (Ineligibility Condition)**

An ineligibility condition refers to a situation in which there is a conflict of interest.

A person may not be nominated or elected as a member of a school council if that person is ineligible to become a member and sit on a school council unless the ineligibility condition would be lifted if elected. This is captured in a Statement of Ineligible Candidate [Form 100(c) (B2)].

- the ground for ineligibility applies if a person works at the school in which they wish to be a candidate, regardless of their employer (whether First Nation, federal or territorial government or other).
- It is the responsibility of the applicant candidate, not the Returning Officer, to determine eligibility on the basis of employment.
  - If a candidate is unsure of whether or not they have grounds for ineligibility they should contact Lori Choquette, School Council Liaison at the Department of Education at 667-8226 or lori.choquette@gov.yk.ca as soon as possible prior to submitting their Nomination Paper.
- the ground for ineligibility is such that the person can divest it within 30 days after Polling Day; and
- at nomination, the person, files with the RO a Statement of Ineligible Candidate [Form 100(c) (B2)] disclosing the ineligibility pursuant to section 151(1)(e) of the *Education Act* and undertaking that, if elected, the ineligibility will be divested within 30 days after Polling Day.
- A person is eligible to participate as a candidate in more than one attendance area only if the person has children attending schools in two or more attendance areas.

### **Statement of Ineligible Candidate [Form 100 (c) (B2)]**

If a candidate files a Statement of Ineligible Candidate [Form 100 (c) (B2)] the RO shall:

- advise every other candidate of the matter;
- transmit a copy of the statement to the CEO; and
- permit any elector or candidate to scrutinize a copy of the statement.

A candidate who has filed a Statement of Ineligible Candidate, and who is subsequently elected but fails to divest the ground for ineligibility within 30 days of Polling Day, is guilty of an offence and the election of that candidate is void.



## Filing a Nomination Paper



Processing Nomination Papers is one of the most important responsibilities you have as RO. Ensure that this is done correctly. Nomination papers may be examined by candidates and the public.

On receipt of a Nomination Paper, carefully review it by checking that the following is properly completed:

- the name, residential (location) address and mailing address of the candidate. The name of the attendance area, which is the name of the school. The formal name of the attendance area is on the attendance area description provided.
- the consent of the candidate
- the names, addresses and signatures of at least three electors in the attendance area who are nominating the candidate (additional elector names recommended),
- the signature of the person who witnessed the electors' signatures. Note that the witness to the signatures may also be the candidate, and
- contact information

Once Completed Nomination Papers are approved the Candidate's name is added to the List of Candidates (Form 120) in the order in which they are approved. Indicate date, time and sequence number on the Nomination Papers. This is used to assign ballot placement.



As RO, you may witness the signature of the person who witnessed the electors' signatures, but only if they are present at the time of filing.

A properly completed Nomination Paper includes:

- qualified candidate information and signature (front page)
- RO signature (front page)
- 3 qualified elector nominations with signatures (back page)
- witness signature (back page)
- signature of authorized person (Returning Officer, Justice of the Peace, Notary Public, Peace Officer) administering the oath / declaration (back page)

Once you have determined that the Nomination Paper is completed:

- complete a Returning Officer's Receipt for Nomination Paper (Form 104)
- the Nomination Paper and the Receipt should be numbered, and the Nomination Form completed with the date and time it was received,
- give the top copy to the candidate,
- attach the second copy of the receipt to the Nomination Paper, and

- add the candidates' name to the List of Candidates (Form 120) in the order in which the Nomination Papers were filed,
- advise Elections Yukon that a Nomination Paper has been filed, and submit a copy of the front page, by either scanning or photographing it, to [schools@electionsyukon.ca](mailto:schools@electionsyukon.ca)

Attach the completed Statement of Ineligible Candidate [Form 100 (c) (B2)] to the Nomination Paper if one is filed by the candidate.

Keep the Nomination Papers in a file folder in the plastic bin for return to Elections Yukon, along with other official election documentation.

When a candidate files a Nomination Paper, ensure that you exchange email and phone contact information. This will ensure timely communications as necessary.

## **CLOSE OF NOMINATIONS**

You must be available at the place identified on the Notice of Nominations between 10:00 a.m. and 12 Noon at Close of Nominations to receive Nomination Papers.



No Nomination Papers can be accepted after 12 noon on the Close of Nominations.

## **Notifying Elections Yukon**

After 12:00 noon at Close of Nominations, you will advise Elections Yukon if the candidates in your attendance area have been elected by acclamation, or if an election will be required. You will do so by completing the appropriate form from your Electronic Mini-pack and emailing it to [schools@electionsyukon.ca](mailto:schools@electionsyukon.ca).

If you are not able to email the above information, please call Elections Yukon at one of the following numbers:

- 1-866-668-8683 (toll free in Yukon)
- (867) 667-8683

## **If an Election is Required**

If there are more candidates than the number to be elected, it is essential that you email Elections Yukon the List of Candidates (Form 120 – from the Electronic Mini-pack) immediately following the Close of Nominations, so that newspaper advertising required by law can be published on a timely basis.

The following information is required for all candidates:

- name as they wish it to appear on the List of Candidates
- residential (location) address and mailing address
- telephone number
- e-mail address is also asked for as an additional contact option
- notice if a Statement of Ineligibility [Form 100(c) (B2)] was filed

You will then compete and print the List of Candidates (Form 122 – from the Electronic Mini-Pack) for posting in at least four conspicuous places (the same places as Notices of Nominations were posted).

Proofread all lists carefully to ensure that all names:

- appear on the list,
- are in the right order, and
- are spelled correctly and as indicated on the nomination form.

Triple check the order and accuracy of the candidates' information before providing the information to Elections Yukon and to the candidates!

The information you provide will be published in newspapers, on social media and on the website.

### **Acclamation and/or Insufficient Nominations**

If by noon at the Close of Nominations, you have received a number of Nomination Papers that is the same, or fewer, than the number of candidates to be elected, declare the candidates elected by acclamation.

Advise Elections Yukon of the names of the candidates who have been elected and the number of vacancies which still exist.

Complete and email the Return of the Writ (Form 001) to [schools@electionsyukon.ca](mailto:schools@electionsyukon.ca). A signed paper copy of the Writ should be included in the materials you return to Elections Yukon.

Complete, print and post at least four Notices of Candidates Elected (Form 501 – from the Electronic Mini-Pack) in the school and other conspicuous locations. (If you put up 4 Notices of Nominations, then you should put up 4 Notices of Candidates Elected in the same places.) These must be removed no later than seven days after the date set for Polling Day.

Return your supplies to Elections Yukon on Friday, Day 10, the day after the Close of Nominations, or make other arrangements with the ACEO - see pages 28 - 29 of the RO Manual for details on what is to be returned to Elections Yukon).

### **Notifying Candidates**

After the close of nominations, contact all persons who have submitted Nomination Papers to you to let them know either

- 1) that they have been elected by acclamation, or
- 2) that there will be an election, since more nominations were received than there are numbers of elected positions on the school council.

### **Conducting an Election**

You will be responsible to conduct an election if, by noon at the Close of Nominations, you have received a number of Nomination Papers that is greater than the number of candidates to be elected. A list of election activities follows in the next section of this Manual.

#### **RO'S DUTIES AFTER NOMINATIONS HAVE CLOSED: IF AN ELECTION IS TO BE HELD**

If an election is to be held, ensure you:

- Hire and train your Deputy Returning Officer and Poll Clerk.
- Confirm your tentative arrangements for the use of the school for Polling Day from 3:00 p.m. to 8:00 p.m. and a room at the school at 5:00 p.m. on the day following Polling Day for conducting the Addition of the Votes (or alternate time on Day -1 or Day -2).
- Complete and post the Lists of Candidates (Form 122 from your Electronic Mini-pack) at the same 4 or more conspicuous places you posted the Notices of Nominations [Form 005 (C1/C2)].
- Advise each candidate that an election will take place. At the same time: advise them of the times and location for polling and advise them that they are entitled to be represented at a polling station.

### **Managing the Withdrawal of a Candidate (After Close of Nominations)**

A candidate can withdraw a nomination any time after nominations close and before the polls open on Polling Day. The candidate must provide you with written notice of their withdrawal. A withdrawal does not have to be received on this form, but it can be used for this purpose.

If, following the withdrawal, there is still at least one more candidate than the number to be elected:

- advise Elections Yukon of the withdrawal,
- advise the other candidates, and
- on the List of Candidates (Form 122) for each polling booth, include a note. e.g. (Name of candidate) – Withdrawn – (Date).

If, after nominations have closed, there was only one more candidate than the number to be elected, a withdrawal would result in an acclamation instead of an election. If that occurs:

- advise Elections Yukon,
- advise the other candidates, and

- declare them elected as described in the “Acclamation or Insufficient Nominations” section of this Manual on page 21

### **If a Statement of Ineligible Candidate [Form 100 (c) (B2)]**

If filed, as per Section 86(3) of the *Education Act*, you must:

- Advise every other candidate,
- Scan and e-mail, or take a picture of, a copy of the Statement of Ineligible Candidate and send to [schools@electionsyukon.ca](mailto:schools@electionsyukon.ca) and retain the original retained and return to Elections Yukon Headquarters with the box of files etc.
- Permit any elector or candidate to scrutinize a copy of the form.

### **Distributing Ballot Papers**

Ballot papers are closely controlled. If you live outside of the Whitehorse area, you will receive ballot papers at your training session. Otherwise, you will receive your ballot papers when it is determined that an election will be held in your attendance area.

When ballot papers are received:

- Confirm that the number of blank bars on the ballot are equal to the number of positions on the school council.
- Check the numbers of the ballot papers and the quantity received.
- Complete the Returning Officer portion of the Record of Ballot Paper Distribution (Form 004) as confirmation of receipt. A copy of this form will be scanned and emailed to you.



Advise the ACEO immediately if the number of blank bars are not equal to the number of positions, or if more ballot papers are required.

## VOTING METHODS

There are two ways to vote:

### In-person:

- At the Polling Place on Polling Day: see page 20 of this RO manual and the Manual for DRO and Poll Clerk – Tab 8

### Mail-In Voting:

- as the RO, you can begin to accept applications to vote by mail-in ballot as soon as the Notice of Nominations has been posted.
- An elector who applies for a mail-in ballot must complete an Application and Oath of a Qualified Elector (Mail-in Ballot) [Form 301 (2)]. Electors at Catholic Schools must take a revised Application and Oath of a Qualified Elector (Mail-in Ballot) [Form 301 (2) (C)].
- Verify qualifications to vote using a Mail-In Ballot
- Ensure criteria to use mail-in ballot is met.

**There is no Proxy Voting for School Council Elections!**

## QUALIFICATIONS OF ELECTORS

Qualification of electors is detailed in Section 82 of the *Education Act* (Tab 4 in RO binder)

In order to be eligible to vote in a Yukon school council election, as of Polling Day an elector must:

- be a Canadian citizen
- be at least 18 years of age and
- be qualified to vote in the attendance area based on either:
  - being a resident in the attendance area for three months, or
  - being a parent of a child who attends a school in the attendance area.

### Eligible Electors at Catholic School Council Elections

To be eligible to vote in a school council, the elector, on Polling Day, must be:

- a Canadian citizen
- at least 18 years of age
- meet at least one of the following qualifications:
  - be the parent/guardian of a child in attendance at a Catholic School
  - be a resident in the attendance area who is a registered member of Sacred Heart Cathedral parish or Our Lady of Victory parish.
  - have a written approval for residency from the Bishop of the Episcopal Corporation of the Diocese of Whitehorse.

A flow chart for eligibility is included in your binder in Tab 6 - Part 3 of the RO binder.

## Right to Vote in the Election of More than One School Council

An elector may vote for a school council in an attendance area in which they have been a resident for at least 3 months, AND for a school council in an attendance area in which their child is in attendance, should these be different attendance areas. However, they cannot vote in the same election in the same attendance area based on both residency and attendance, i.e. they cannot vote in one attendance area twice.

### MAIL-IN BALLOT VOTING

Qualified electors who may be unable to vote on polling day may apply to vote by mail-in ballot for the following reasons:

- absence from the attendance area;
- infirmity;
- hospitalization;
- confinement to a corrections centre;
- hours of employment; or
- appointment as a Deputy Returning Officer or Poll Clerk

Convenience is not a valid reason. Notwithstanding, the RO or DRO would not question an application.

### Issuing Mail-In Ballots

Electors can apply to vote by mail-in ballot at any time following the first publication of the Notice of Nominations and before the polls close on Polling Day.



However, mail-in ballots cannot be issued until after the Close of Nominations and it has been determined that an election will be taking place.



If at 12 noon at the Close of Nominations, you have received more Nomination Papers than the number of candidates to be elected:

- then as RO, you begin to issue mail-in ballots immediately to those eligible electors who have completed an Application & Oath of a Qualified Elector (Mail-In Ballot) [Form 301 (2)], or an Application & Oath of a Qualified Elector Designated by the Catholic Episcopal Corporation (Mail-In Ballot) [Form 301 (2) (C)].

You will receive two poll books in your supplies:

- one for mail-in ballots for use by the RO. On receipt of an application, enter the elector's name and address in the Mail-in Ballot Poll Book [Form 404 (MI)]
- one for Polling Day use by the DRO and PC [Form 404 (4)]
- After Close of Nominations, deliver, or have delivered, the following forms enclosed in envelope (S.4) to each elector who will be voting by mail-in ballot:
- an initialed ballot paper and envelope (S.1)
- certificate envelope (S.2)
- an addressed return envelope (S.3)
- instructions for Voting by Mail-in Ballot (Form 302), including the names of the candidates

Mail-in ballots are either sent or hand-delivered to the Returning Officer.



If the mail-in ballot is being returned on Polling Day, it is the responsibility of the elector to ensure its delivery to the Returning Officer at the Polling Place between 3:00 PM and 8:00 PM. No mail-in ballots can be accepted after 8:00 PM on Polling Day. Mail-in ballots cannot be accepted by the DRO or Poll Clerk. Only the RO can accept mail-in ballots.

Write the date in the “Issued” column and check the “Voted” column in the Mail-in Ballot Poll Book [Form 404 (MI)]

On receipt of an elector's ballot paper before the poll closes:

- If the elector's name on the certificate envelope is the same as the one in the Mail-In Ballot Poll Book [Form 404 (MI)], place the certificate envelope (S.2) unopened in an envelope kept for mail-in ballots, a ballot box
- Write in the date in the “Received” column in the Mail-in Ballot Poll Book across from the elector's name, and
- Place the Application & Oath of a Qualified Elector (Mail-In Ballot) [Form 301 (2)] or [Form 301 (2) (C)], or the in one envelope (S.7) marked Oaths of Electors.
- Mail-in ballots received from an elector after the close of the poll cannot be counted. They are to be returned unopened.

Mail-in ballots are counted by the RO immediately after voting ends on Polling Day. Detailed instructions follow. See Tab 8: Manual for Deputy Returning Officer and Poll Clerk.



## **POLLING DAY**

### **Making Preparations for Polling Day**

Confirm the availability of the DRO and Poll Clerk that you had identified and set a time for their training session. Give them each a copy of the Manual for Deputy Returning Officer and Poll Clerk for their review before the training session. Complete the required information in the inside cover of the Manuals before you deliver them to the DRO and PC.

It is not necessary to have the DRO bring a Bible to the polling place. An oath has the same force and effect without a Bible being physically present.

### **Ballot Box Supplies**

Prepare the election supplies for the polling station. Use the List of Forms and the List of Supplies in the Manual Tab 6 – Part 1 and 2 for Deputy Returning Officer and Poll Clerk, to put together the election kit.

### **Training the Deputy Returning Officer and Poll Clerk**

Prior to the training session, prepare one Appointment and Oath-Deputy Returning Officer and Poll Clerk [Form 402 (3/3A)] for each election officer. Appoint the DRO and PC by administering the Appointment and Oath of a Deputy Returning Officer or Poll Clerk [Form 402 (3/3A)].

Discuss with the DRO and PC the procedures for Polling Day including:

- Requirement for professional compliant conduct of the vote, counting and return of materials,
- the time at which the DRO and PC should be at the polling place to set up the polling station before the voting starts,
- polling station set-up,
- the qualification of electors,
- the taking of electors' oaths,
- issuing ballots to electors,
- the voting process,
- the rights of candidates and their representatives,
- persons entitled to be at the polling station, and
- any other directions you feel are necessary,
- DRO and PC cannot accept mail-in ballots
- review the polling supplies required to conduct the poll.
- Mail-In Ballot Poll Book [Form 404 (MI)]

## Managing Polling Day Activities

Familiarize yourself with the polling and counting procedures in the Manual for Deputy Returning Officer and Poll Clerk (Form 401).

You must be present at the polls to:

- advise Elections Yukon Headquarters (EYHQ) when the poll is ready to go
- supervise the election process
- receive any last-minute mail-in ballots (until close of polls at 8 pm)
- conduct the mail-in ballot count after the close of polls, and
- prepare the Final Statement of the Vote after the close of polls.

Instruct the DRO to deliver the following supplies to you, immediately after the ballot count is completed:

- one Statement of Vote (A) – Poll [Form 412 (A) (9)]
- the ballot box containing the election documents,
- the unused supplies,
- the School Council DRO/Poll Clerk Fees Claim (Form 202) for both the DRO and PC.

## An Elector at the Polls

When an elector presents him or herself at the poll, the DRO or Poll Clerk will ask for name and address. The Poll Clerk will check that the individual has not voted by Mail In Ballot (see Mail-In Poll Book [Form 404 (MI)]) to ensure they haven't voted. The DRO will administer the Oath of Qualification of Elector for School Council [Form 403 (7A)] or the Oath of Qualification of Elector for Catholic School Council [Form 403 (C) (7B)], and have the elector sign the Poll Book [Form 404 (4)]. A ballot will be issued.



## Counting Mail-in Ballots

As RO, you are responsible to count the mail-in ballots immediately after voting ends on Polling Day. Follow these steps when counting the mail-in ballots:

- you must have at least one witness. Mail-in ballots are to be counted separately at the polling station after close of poll,
- open the envelope containing the mail-in ballots (S.1) and
  - remove the certificate envelopes (S.2)
- open the certificate envelopes,
  - remove the ballot envelopes (S.1) and place them unopened in a clear area,
  - place the certificate envelopes (S.2) in the envelope (S.5) provided for that purpose,
  - ensure your work area is clear,
- open the ballot envelopes and remove the ballots, and
  - count the ballots following procedures required for an ordinary poll found in the Manual for Deputy Returning Officer and Poll Clerk (Form 401), COUNTING OF BALLOTS, at Tab 8,
  - complete the Statement of Vote (B) – Mail In [Form 412 (B) (9)].

Immediately following the count of both polls (Polling Day and Mail-In Ballots):

- complete the Final Statement of the Vote [Form 412 (C) (9)],
- advise Elections Yukon by email of the number of votes per candidate per poll and the number of people who voted,
- advise the candidates of the “unofficial results”,
- remind candidates of the date, place and time for the Addition of the Votes, and
- mail a copy of the Final Statement of Vote [Form 412 (C) (9)], to each candidate.



Do not release the voter turnout or number of votes cast for each candidate to the public or the media. That detailed information is provided only to candidates and Elections Yukon.

## CONDUCTING THE ADDITION OF THE VOTE

Conduct the Addition of the Votes one day after Polling Day.

A witness must be present at the Addition of the Votes. This can be either the DRO, or, if you have acted as DRO, the Poll Clerk.

What you'll need:

- Large Document envelope S9 x 2 (from both ballot boxes)
- Your copies of all 3 Statements of the Vote: Statement of Votes (A)- Poll [Form 412 (A) (9)], the Statement of Votes (B) – Mail In [Form 412 (B) (9)] and the Final Statement of the Vote [Form 412(C) (9)]

Unseal both S9s and remove from each:

- 3 x S6 envelopes (Unused, Rejected & Spoiled ballots)
- 1 x S8 envelope

Check the # of ballots recorded on each envelope against the Statements of the Vote.

Check the additions on each Statement of the Vote & ensure that the numbers balance.

If there are any errors on the Statement of Vote (A) – Poll [Form 412 (A) (9)] completed by the DRO, and / or on the Final Statement of the Vote [Form 412 (C) (9)], make the necessary corrections and initial them.

Complete the Certificate of the Addition of the Votes (Form 504).

This form should be scanned and e-mailed or a picture taken of it and sent to [schools@electionsyukon.ca](mailto:schools@electionsyukon.ca) and the original returned to Elections Yukon Headquarters when the box of files etc. are returned.

Once finished, return the S6 & S8 envelopes to n the appropriate S9 envelope and reseal.

Immediately following the Addition of the Votes:

- contact Elections Yukon by email to confirm the number of votes per candidate per poll and the number of people who voted, and advise Elections Yukon if there is an equal number of votes for two or more candidates for the final position on a council, and
- notify each candidate who has been elected
- mail a copy of the Certificate of Addition of the Vote (Form 504), to each candidate
- complete and post four copies of the Notice of Candidates Elected (Form 501 – from your Electronic Mini-Pack) in the conspicuous public areas where you posted the Notice of Nominations (Form 005) and the List of Candidates School Council (Form 122)

The results will be posted on the Elections Yukon website and in the Report of the Chief Electoral Officer which will be tabled in the Legislative Assembly.

## **DECLARING THE RESULTS**

Do not declare the results if a recount is required. Results would be declared after a recount, and if necessary, the draw to break a tie.

After the Addition of the Votes, you must declare the candidates elected by completing the Return of the Writ (Form 001).

If No Recount, see Completing Your Work on page 26 of this manual.

## **CONDUCTING A RECOUNT**

A recount will be required if, following the Addition of the Votes, there is an equal number of votes cast for two or more candidates for the final position on a school council. Contact the CEO immediately.

The CEO is responsible, in consultation with the RO, to set a date within seven days of the Addition of Votes for holding the recount. The CEO must advise each candidate of the date, time and place of the recount.

The RO is responsible for conducting the recount in front of any candidates and three witnesses appointed by the CEO.

Conduct the recount by opening each large document envelope (S-9), one at a time, and

- removing and opening the envelopes (S.8) containing the ballots,
- counting the ballots, including the spoiled, rejected, unused ballots and the ballots counted for candidates,
- confirming the number of votes counted for each candidate, or correcting and initialing the corrections, on the Final Statement of Vote [Form 412 (C) (9)],
- replacing and sealing the ballots with ballot box seals in the proper envelopes.

If a tie still exists after the ballots have been recounted, you must break the tie by drawing lots.

You follow these steps to break the tie:

- ensure the witnesses are present and briefed on the procedure
- record the names of the candidates who have received the same number of votes on individual slips of paper of the same size and colour,
- fold the slips of paper in the same manner and place them in a "hat", and
- draw the number of names which are required to break the tie,
- show the selected slip to all,
- record on Certificate of Recount (Form 514), have witnesses sign, and indicate elected member, and
- declare results

After the conclusion of the recount, you shall declare the results of the election and proceed as directed in the "Declaration of Results" section of this Manual.

### Completing the Election Documentation

The following documents must be completed:

- Certificate of the Addition of the Vote (Form 504)
- Return of the Writ (Form 001)
- All fee and expenses claim forms [Form 201 for RO and 202 for DRO/PC],
- Returning Officer's Report of Proceedings (Form 512)

Place the documents in the folders provided.

### Returning Supplies to Elections Yukon

If members are elected by acclamation, return your supplies to Elections Yukon on Day 10, the day after Close of Nominations or as arranged with the ACEO.

If there is an election, return your supplies to Elections Yukon on the day following the Declaration of Results, unless a recount is required.

Materials are to be returned in an organized and neat fashion in the folders provided. Place your supplies and documentation in the box given to you at the time of training, and return the box to Elections Yukon by:

- delivering them to the Elections Yukon office,
- sending them by secure mail, or
- shipping them by air or courier (collect).

Please ensure that you have included the following documents:

Documentation for the CEO

- Return of the Writ (Form 001) plus Returning Officer's Report on Proceedings (Form 512).
- all fee and expenses claim forms:
  - School Council RO Fee and Expense Claim (Form 201)
  - School Council Elections DRO and Poll Clerk Fee Claim (Form 202)

RO Documentation

- the signed Record of Ballot Paper Distribution (Form 004)
- Notice of Nominations (Form 005 (C1/C2))
- all Nomination Papers that were filed [Form 100 (a) (D2)]
- List of Candidates (Form 120)
- Mail-in applications and oaths [Form 301 (2)] or [301 (2) (C)]
- mail-in ballots received after the close of voting (unopened, in envelopes)
- unused election supplies, including nomination kits left at the school office

## Polling Place Materials and Documentation

- the sealed large document envelopes (S.9),
- used tally sheets
- all other documents used at the election
- Office Supplies Kit (ruler, sharpener, badges, pencils)

Do not return used ballot boxes, polling booth screens, posted documents, including Directions to Electors [Form 407 (5)] or masking tape. These items are to be discarded or, preferably recycled. Please remove or deface the school council logo before discarding them.

Advise the ACEO by phone or e-mail of how and when supplies will be shipped or delivered.

## Removing Posted Documents

Remove and destroy all posted election material relating to the conduct of the election no later than seven days after Polling Day, Monday, Day 0.



## CLOSING CONSIDERATIONS

It is your work and your leadership, attention to detail and the compliant delivery of the school council election process that determines school council membership and the contribution they make to education. It is important. And it is appreciated.

All the best on your election.