

TRUSTEE ELECTIONS BYLAW NO. 1-2022
BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 83
(North Okanagan-Shuswap)

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*, a Board of Education may, by bylaw, determine various procedures and requirements to be applied in the conduct of trustee elections.

In School District No. 83 (North Okanagan-Shuswap), trustee elections are held in the following trustee electoral areas (TEA):

TEA No.	Trustee Electoral Area Description	Number of Trustees
1	City of Armstrong/Corporation of the Township of Spallumcheen/Falkland, Silver Creek, Ranchero (being Electoral Area D of the Columbia Shuswap Regional District)	One
2	City of Enderby/Malakwa (being Electoral Area E of the Columbia Shuswap Regional District)/District of Sicamous/Mara, Grindrod, Mabel Lake (being Electoral Area F of the Regional District of North Okanagan)	One
3	North Shuswap, Sorrento, Carlin (being Electoral Areas C and F of the Columbia Shuswap Regional District)	One
4	City of Salmon Arm	Two

Trustee elections that are the responsibility of the Board of Education of School District No. 83 (North Okanagan-Shuswap) will be conducted by the Board directly or, if the trustee electoral area is all or part of a single municipality, in conjunction with that municipality under an agreement with the Board made pursuant to Section 38 of the *School Act*.

The Board of Education of School District No. 83 (North Okanagan-Shuswap) wishes to establish various procedures and requirements under the authority of the *School Act* for trustee elections.

The Board of Education of School District No. 83 (North Okanagan-Shuswap), 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 of Education" or "Board" means the Board of Education of School District No. 83 (North Okanagan-Shuswap).

"By-election" means a trustee election to fill a vacancy on the Board in any of the circumstances described in section 36 of the *School Act*.

"Election" means a trustee election.

"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.

"RDNO" means the Regional District of North Okanagan.

"CSRD" means the Columbia Shuswap Regional District.

2. Application

This bylaw applies to both general school elections and by-elections, except as otherwise indicated in this bylaw.

3. Required Advance Voting Opportunities

3.1 Unless the Board is exempted from the requirement by Order of the Minister of Education, an advance voting opportunity will be held on the tenth day before general voting day.

3.2 Unless the Board is exempted from the requirement for an additional advance voting opportunity by Order of the Minister of Education, an additional advance voting opportunity will be held:

- i. in *Trustee Electoral Area No. 1, 2, and 3*, non-municipal TEA's, on the third day before general voting day.
- ii. in *Trustee Electoral Area No. 4*, a municipal TEA, the date specified in the bylaws of the City of Salmon Arm.

4. Order of Names on the Ballot

The order of names of candidates on the ballot will be alphabetical.

5. 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 the *Local Government Act*.

6. Number of Nominators

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

7. Access to Candidate Nomination Documents

The Board authorizes public access, during the regular office hours at the Board's office, to nomination documents of trustee candidates by internet or other electronic means until 30 days after declaration of the election results.

8. Application of Local Government Bylaws

- 8.1 In *Trustee Electoral Area No. 4*, the election bylaws of the City of Salmon Arm apply to trustee elections conducted by the City of Salmon Arm, except for bylaws determining the minimum number of nominators, the order of names on the ballot, the resolution of tie votes after judicial recount, requiring a nomination deposit, or any other matter on which the local government bylaws may not by law apply to a trustee election.

9. Elections Conducted by School Board

The following provisions apply to those trustee elections which the School Board conducts on its own behalf.

9.1 Additional Advance Voting Opportunities

The Chief Election Officer is authorized to establish additional advance voting opportunities for each election and to designate the voting places, establish the date and the voting hours for these voting opportunities.

9.2 Additional General Voting Opportunities

The Chief Election Officer is authorized to establish additional general voting opportunities for general voting day for each election and to designate the voting places and voting hours, within the limits set out in the *Local Government Act*, for such voting opportunities.

10. Number of Scrutineers at Voting Places

The number of scrutineers for each candidate that may attend at an election is a maximum of one scrutineer for each ballot box in use.

11. Title

This bylaw may be cited as “The Board of Education of School District No. 83 (North Okanagan-Shuswap) Trustee Elections Bylaw No. 1-2022”.

12. Repeal

School District No. 83 Trustee Elections Bylaw No. 1-2018 is hereby repealed.

READ A FIRST TIME THIS ____ DAY OF _____, 2022.

READ A SECOND TIME THIS ____ DAY OF _____, 2022.

READ A THIRD TIME AND ADOPTED THIS ____ DAY OF _____, 2022.

Board Chair

Secretary-Treasurer