

Bylaw 1-22

TRUSTEE ELECTIONS

**BOARD OF EDUCATION
SCHOOL DISTRICT NO. 58
(NICOLA-SIMILKAMEEN)**

A Bylaw to provide 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. 58 (Nicola-Similkameen) trustee elections are held in the following trustee electoral areas:

<u>TRUSTEE ELECTORAL AREA</u>	<u># OF TRUSTEES</u>
1) City of Merritt	3
2) Town of Princeton and Area H of Regional District of Okanagan-Similkameen	3
3) Electoral Areas M and N of Thompson-Nicola Regional District	1

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The Board of Education wishes to establish various procedures and requirements under the authority of the *School Act* for trustee elections.

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. 58 (Nicola-Similkameen).

“By-election”

means a trustee election to fill a vacancy on the school 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 Minister of Education;

2. **APPLICATION**

This Bylaw applies to both general elections and by-elections except as otherwise indicated.

3. **ORDER OF NAMES ON BALLOT**

The order of names of candidates on the ballot will be determined by lot in accordance with the *Local Government Act*.

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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 the *Local Government Act*.

5. **APPLICATION OF LOCAL GOVERNMENT BYLAWS**

5.1 In Trustee Electoral Area 1 the election bylaws of the City of Merritt apply to trustee elections conducted by the City of Merritt, 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.

5.2 In Trustee Electoral Area 2 the election bylaws of the Town of Princeton and Area H of the Regional District of Okanagan-Similkameen apply to trustee elections conducted by the Town of Princeton, 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.

6. **REQUIRED ADVANCE VOTING OPPORTUNITIES** 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.

6.2 Unless the Board is exempted from the requirement for a second advance voting opportunity by Order of the Minister of Education, or unless s.6.3 applies, a second advance voting opportunity will be held on:

6.2.1 in Trustee Electoral Area 1, the date specified in the bylaws of the City of Merritt.

6.2.2 in Trustee Electoral Area 2, the date specified in the bylaws of the Town of Princeton.

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- 6.3 In Trustee Electoral Area 3, 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. ELECTIONS CONDUCTED BY BOARD OF EDUCATION

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

7.1 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.

7.2 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.

7.3 Special Voting Opportunities

7.3.1 In order to give electors who may otherwise be unable to vote an opportunity to do so, the Board may provide special voting opportunities for each election and the chief election officer is authorized to establish the location, date and voting hours, within the limits set out in the *Local Government Act*, for each special voting opportunity.

7.3.2 The chief election officer is authorized to limit the number of candidate representatives who may be present at the special voting opportunity.

7.4 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.

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

8.1 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.

8.2 The Board will make available to the public for inspection, 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 report relate by either by providing:

- (a) access by internet, or
- (b) a copy of that information for inspection

9. **TITLE**

This Bylaw may be cited as 'School District No. 58 (Nicola-Similkameen) Trustee Elections Bylaw No. 1-22

10. **REPEAL**

School District No. 58 (Nicola-Similkameen) Trustee Elections Bylaw No. 1-14 is hereby repealed

Date of first reading:

July 5, 2022

Date of second reading:

July 5, 2022

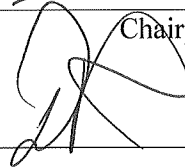
Date of third reading and adoption:

July 5, 2022

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Chairperson of the Board



Secretary Treasurer