

TRUSTEE ELECTION BYLAW NO. 1-2022

BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 6 (ROCKY MOUNTAIN)

A Bylaw to provide for the determination of various procedures for the conduct of general school elections and other trustee elections for School District No. 6 (Rocky Mountain).

Preamble:

Under the *School Act*, the Board of School Education may, by Bylaw, determine various procedures and requirements to be applied in the conduct of Trustee elections.

The following Trustee electoral areas have been established for School District No. 6 (Rocky Mountain) by Ministerial Orders 295/96 and 324/96.

<u>Trustee Electoral Area</u>	<u>No. of Trustees</u>
Trustee Electoral Area 1 (Town of Golden and Electoral Area A of the Columbia Shuswap Regional District)	3
Trustee Electoral Area 2 (City of Kimberley and Electoral Area E of the Regional District of East Kootenay)	3
Trustee Electoral Area 3 (District of Invermere)	1
Trustee Electoral Area 4 (Village of Canal Flats and Electoral Area F of the Regional District of East Kootenay)	1
Trustee Electoral Area 5 (Village of Radium Hot Springs and Electoral Area G of the Regional District of East Kootenay)	1

The Board of Education of School District No. 6 (Rocky Mountain), 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 “Board of Education” means the Board of Education of School District No. 6 (Rocky Mountain).

“By-election” means a trustee election to fill a vacancy on the Board of Education 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.

2. Application

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

3. Order of Names on Ballot

The order of names of candidates on the ballot will be alphabetical in accordance with Section 116 of the *Local Government Act*.

4. Required Advance Voting Opportunities

As required by Section 107 of the *Local Government Act*, the following advance voting opportunities are established for Trustee elections:

4.1 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.

4.2 Unless the Board is exempted from the requirement for an additional advance voting opportunity by Order of the Minister of Education, or unless s. 3.3 applies, an additional advance voting opportunity will be held on:

- i. In Trustee Electoral Area 1 (Town of Golden and Electoral Area A of the Columbia Shuswap Regional District), the date specified by the bylaws of the Columbia Shuswap Regional District;
- ii. In Trustee Electoral Area 2 (City of Kimberley and Electoral Area E of the Regional District of East Kootenay), the date specified by the bylaws of the City of Kimberley;
- iii. In Trustee Electoral Area 3 (District of Invermere), the date specified by the bylaws of the District of Invermere; and
- iv. In Trustee Electoral Areas 4 (Village of Canal Flats and Electoral Area F of the Regional District of East Kootenay) and 5 (Village of Radium Hot Springs and Electoral Area G of the Regional District of East Kootenay), the date specified by the bylaws of the Regional District of East Kootenay.

If an additional advance voting opportunity is required to be provided by Section 38(9) of the *School Act*, the additional advance voting opportunity shall be held at the place and for the voting hours specified by the Chief Election Officer.

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 Section 151 of the *Local Government Act*.

6. Number of Nominators

As per Section 86(1)(a) of the *Local Government Act*, the minimum number of qualified nominators for a trustee candidate in any Trustee Electoral Area is two (2).

7. **Access to Campaign Financing Disclosure Statements and Supplementary Reports**
Upon request, the Board will 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 by law for a fee of \$0.35 per page.

8. **Application of Local Government Bylaws**
Except as otherwise provided by the *School Act* or this Bylaw; where the Board of Education enters into an agreement with a local government under section 38(4) of the *School Act*, under which the local government conducts all or part of a Trustee election for the Board of Education, or conducts a Trustee election in conjunction with a local government election, the elections bylaws of that local government, as they may be amended from time to time, apply to that Trustee election or part of the trustee election carried out under that agreement, to the extent authorized by the *School Act*.

9. **By-Elections**
For School Trustee by-elections conducted by School District No. 6 (Rocky Mountain), the advance voting opportunities shall be held on:
 - (a) the tenth (10th) day before general voting day, and
 - (b) if a second date is legally required, the fifth (5th) day before general voting day.

10. **Repeal**
School District No. 6 (Rocky Mountain) Trustee Election Bylaw No. 1-2018 is hereby repealed.

11. **Title**
This Bylaw may be cited as "School District No. 6 (Rocky Mountain) Trustee Election Bylaw No. 1-2022".

READ A FIRST TIME THE 10th DAY OF MAY, 2022.

READ A SECOND TIME THE 10th DAY OF MAY, 2022.

READ A THIRD TIME, PASSED AND ADOPTED THE 10TH DAY OF MAY, 2022.

Manually signed by "Amber Byklum"

Board Chair

(Corporate Seal)

Manually signed by "Alan Rice"

Secretary Treasurer