

**BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 10 (ARROW LAKES)  
BYLAW NO. 15**

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

In School District #10 (Arrow Lakes), trustee elections are held in the following trustee electoral areas:

TEA	Trustee electoral area description:	# of trustees
Eastern Attendance Zone	<i>Villages of Silverton, New Denver and part of Electoral Area H of Regional District of Central Kootenay</i>	<i>one</i>
Central Attendance Zone	<i>Village of Nakusp, part of Electoral Area H, part of Electoral Area K of Regional District of Central Kootenay and part of Electoral Area B of Columbia Shuswap Regional District</i>	<i>One</i>
Southern Attendance Zone	<i>Part of Electoral Area K of Regional District of Central Kootenay</i>	<i>One</i>
At Large Attendance Zone	<i>Villages of Silverton, New Denver, Nakusp, part of Electoral Area H, Electoral Area K of Regional District of Central Kootenay and part of Electoral Area B of Columbia Shuswap Regional District</i>	<i>Two</i>

The Board of Education of School District No.10 (Arrow Lakes), wishes to establish various procedures and requirements under the authority of the *School Act* for trustee elections.

[References: *School Act* s.37, s. 38(4)]

The Board of Education of School District No.10 (Arrow Lakes), in an open meeting of the board, enacts as follows:

**1. Definitions**

The terms used shall have the meaning assigned by the *School Act*, the *Local Government Act* and the *Local Elections Campaign Financing Act*, except as the context indicates otherwise.

"Board" means the Board of Education of School District No. 10 (Arrow Lakes).

"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

“Regional District” means the Regional District of Central Kootenay and/or Columbia Shuswap Regional District.

[Reference: *School Act*, s. 36]

## **2. Application**

- (a) 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 a second advance voting opportunity by Order of the Minister of Education, or unless s. 3.3 applies

[References: *Local Government Act* s. 107(1); *School Act* s. 45(1), 45(5)]

- 3.3 In *Eastern, Central, Southern and At Large Attendance Zone*, 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.

[References: *School Act* s. 45(1), (5); *Local Government Act* s. 107(2)]

## **4. Order of Names on the Ballot**

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

[References: *School Act* s. 46(4), *Local Government Act* s. 116, 117]

## **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 a run-off election in accordance with the *School Act* and the *Local Government Act*.

[References: *School Act* s. 46(4), *Local Government Act* s. 151, 152]

## 6. Nomination Deposit

No nomination deposit is required for nomination for the office of school trustee.  
[References: *School Act* s. 45(9), 46(4), *Local Government Act* s. 88]

## 7. Number of Nominators

The minimum numbers of qualified nominators for a trustee candidate in *Trustee Electoral Area for Eastern, Central and Southern Attendance Zone* is two. The minimum number of qualified nominators for a trustee candidate in *Trustee Electoral Area for At Large Attendance Zone* is two.

[References: *School Act* ss. 45(9), 46(4), *Local Government Act* s. 86(1), 86(2)]

## 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 In accordance with the *Local Elections Campaign Financing Act*, the Board will make available to the public for inspection during the regular office hours of the Board's head office, the trustee candidates' campaign financing disclosure statements and supplementary reports until 5 years after general voting day for the election to which the trustee's campaign financial disclosure statements and supplementary report relate either by providing:

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

8.3 The Board will, on request, 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 under section 8.2 for a fee of \$0.10 per page.

8.4 Before providing the services under section 8, the Board, requires the person requesting the service to

- (a) satisfy the Board that any purpose for which personal information is to be used is permitted by section 63 of the *Local Elections Campaign Financing Act*, and
- (b) provide a signed statement that
  - (i) the individual, and
  - (ii) if applicable, any individual or organization on whose behalf the first individual is accessing, inspecting or obtaining the copy or other record

will not use personal information included in the copy or other record except for a purpose permitted under the *Local Elections Campaign Financing Act*.

[References: *School Act* s. 45(1), *Local Government Act* s. 89(7), and (8), *Local Elections Campaign Financing Act*, ss. 58 and 59]

## **9. Application of Local Government Bylaws**

- (a) In *Eastern, Central, Southern and At Large Attendance Zones Trustee Electoral Area*, if the *Villages of Silverton, New Denver, Nakusp, part of Electoral Area H, part and/or of Electoral Area K of Regional District of Central Kootenay and part of Electoral Area B of Columbia Shuswap Regional District* conducts all or a part of the trustee election, the elections bylaws of *Villages of Silverton, New Denver, Nakusp, part of Electoral Area H, part and/or of Electoral Area K of Regional District of Central Kootenay and part of Electoral Area B of Columbia Shuswap Regional District*, as they may be amended from time to time, apply to that trustee election or part of the trustee election, except for any 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.
- (b) In *Eastern, Central, Southern and At Large Attendance Zones Trustee Electoral Area*, if the *Villages of Silverton, New Denver, Nakusp, part of Electoral Area H, part and/or of Electoral Area K of Regional District of Central Kootenay and part of Electoral Area B of Columbia Shuswap Regional District*, for a trustee election held at the same time as the general local elections, the elections bylaws of *Villages of Silverton, New Denver, Nakusp, part of Electoral Area H, part and/or of Electoral Area K of Regional District of Central Kootenay and part of Electoral Area B of Columbia Shuswap Regional District*, as they may be amended from time to time, apply to that trustee election, except for any 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.

[References: *School Act* s. 37(1), s. 38(4)-(5), s. 45(8)-(10), s. 46(4)]

## **10. Elections conducted by the Board**

The following additional provisions apply to those trustee elections that the Board conducts on its own behalf except where the Board has adopted a local government bylaw to apply to the trustee election.

### **10.1 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.

[References: *School Act* s.45 (1); *Local Government Act* s.108]

## **10.2 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.

[References: *School Act* s.45 (1), *Local Government Act* s.106]

## **10.3 Special voting opportunities**

- (a) In order to give electors who may otherwise be unable to vote an opportunity to do so, special voting opportunities are established for each election for residents, patients or workers of Arrow Lakes Hospital and Halcyon Community Home on the date on which the special voting opportunity is held, including those who are admitted as patients before the end of the voting hours 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. The chief election officer is authorized to limit the number of candidate representatives who may be present at the special voting opportunity.

[References: *School Act* s. 45(1), *Local Government Act* s.109]

## **10.4 Mail Ballot Voting**

- (a) Subject to the *Local Government Act*, voting and registration may be done by mail for
  - (i) persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity;
  - (ii) persons who reside in a specified area of the jurisdiction for which the election is being held that is remote from voting places at which they are entitled to vote; and
  - (iii) persons who expect to be absent from the trustee electoral area on general voting day and at the times of all advance voting opportunities.
- (b) The areas specified for the purpose of subsection (a) (ii) are: *the northern part of the Central Attendance Zone Trustee Electoral Area which consists of a part of Electoral Area K of Regional District of Central Kootenay and a part of Electoral Area B of Columbia Shuswap Regional District for the Central and At Large Attendance Zone Trustee Electoral Area*
- (c) Procedures for mail ballot voting and registration may be established by separate bylaw.

- (d) The Chief Election Officer may establish time limits in relation to mail ballot voting.

[References: *School Act* s. 45(1), *Local Government Act* s. 110]

**10.5 The Provincial Voters List be utilized for Trustee Election purposes**

As authorized by the *Local Government Act* for all elections the most current available Provincial list of voters prepared under the *Election Act*, shall become the register of resident electors on the 52<sup>nd</sup> day prior to general voting day.

[References: *Local Government Act* s.76]

**10.6 Number of Scrutineers at Voting Places**

- (a) 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

[References: *School Act* s. 45(1), *Local Government Act* s. 120]

**11. Title**

This bylaw may be cited as "School District No. 10 (Arrow Lakes) Trustee Elections Bylaw No. 15.

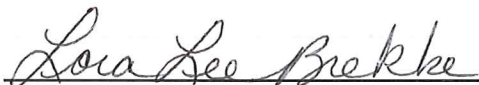
**12. Repealed**

School District No. 10 (Arrow Lakes) Trustee Elections Bylaw No. 13 is hereby repealed.

Read a first time this 12<sup>th</sup> day of June, 2018

Read a second time this 12<sup>th</sup> day of June, 2018

Read a third and final time this 12<sup>th</sup> day of June, 2018



Chairperson of the Board

  
Secretary-Treasurer