



**BOARD OF EDUCATION  
SCHOOL DISTRICT NO. 23 (CENTRAL OKANAGAN)**

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**BYLAW No. 18 – Election**

A bylaw to provide for the determination of various procedures  
for the conduct of trustee elections.

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**PREAMBLE:**

In School District No. 23 (Central Okanagan), trustee elections in the trustee electoral areas of the School District are the responsibility of the following authorities:

<b>Trustee Electoral Area</b>	<b>No. of Trustees</b>	<b>Responsibility</b>
Area 1. Zone 1*	One	District of Lake Country and Regional District of Central Okanagan
Area 2. Zone 2**	One	Corporation of the District of Peachland and Regional District of Central Okanagan
Area 3. City of Kelowna	Four	City of Kelowna
Area 4. District of West Kelowna	One	City of West Kelowna
* District of Lake Country and Central Okanagan East Electoral Area of the Regional District of Central Okanagan.		
** The Corporation of the District of Peachland, Central Okanagan West Electoral Area of the Regional District of Central Okanagan, Tsinstikeptum Indian Reserve 9 and Tsinstikeptum Indian Reserve 10.		

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. 23 (Central Okanagan).

“**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 Okanagan.

**2. Application**

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

**3. Order of Names on the Ballot**

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

**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**

Where all or part of a school trustee election is conducted by a local government, the elections bylaws of the local government, as they may be amended from time to time, 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 apply to a trustee election, apply to the trustee election to the extent authorized by the *School Act*, in accordance with the following:

5.1 Trustee Electoral Area 1: The elections bylaws of the District of Lake Country apply for the purposes of school trustee elections and electors of the District of Lake Country. The elections bylaws of the Regional District apply for the purposes of school trustee elections and electors of the Central Okanagan East Electoral Area of the Regional District.

5.2 Trustee Electoral Area 2: The elections bylaws of the Corporation of the District of Peachland, apply for the purposes of school trustee elections and electors of the Corporation of the District of Peachland. The elections bylaws of the Regional District, apply for the purposes of school trustee elections and electors of the Central Okanagan West Electoral Area of the Regional District, Tsinstikeptum Indian Reserve 9 and Tsinstikeptum Indian Reserve 10.

5.3 Trustee Electoral Area 3: The elections bylaws of the City of Kelowna apply to trustee elections conducted by the City of Kelowna.

5.4 Trustee Electoral Area 4: The elections bylaws of the City of West Kelowna apply to trustee elections conducted by the City of West Kelowna.

**6. Voting Machines**

The use of automated voting machines, voting recorders, or other devices for voting in a school trustee election conducted in conjunction with a local government election is authorized in accordance with the procedures for voting, the form of ballot, and the procedures, rules, and requirements for counting of

votes which are established by the bylaw adopted by that local government pursuant to the *Local Government Act*.

## **7. Required Advance Voting Opportunities**

7.1 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.

7.2 Unless the Board is exempted from the requirement for a second advance voting opportunity by Order of the Minister of Education, a second advance voting opportunity will be held as follows:

7.2.1 For the general school elections where the Board is conducting the election, three days before general voting day;

7.2.2 Where a local government is conducting the election in accordance with section 5, the date specified in the bylaws of the local government conducting the election as they may be amended from time to time.

7.2.3 For by-elections, three days before General Voting Day.

## **8. 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. Election Officers**

Where there is an agreement with a local government for the conduct by the local government of trustee elections as part of a general school election, the Chief Election Officer and Deputy Chief Election Officer appointed by the local government shall be deemed to be the Chief Election Officer and Deputy Chief Election Officer for the conducting of those trustee elections.

## **10. Nomination of Candidates**

The required number of qualified nominators for a trustee candidate in all electoral areas is two.

## **11. Nomination Deposit**

A nomination for the office of Trustee must be accompanied by a refundable deposit in the amount of \$100.00 (One Hundred Dollars).

## **12. Title**

This Bylaw may be cited as:

**“School District No. 23 (Central Okanagan) Bylaw No. 18 – Election”.**

## **13. Repeal**

School District No. 23 (Central Okanagan) Trustee Election Bylaw No. 17 is hereby repealed.

**Read a first and second time the 1<sup>st</sup> day of August, 2018.**

**Read a third time and finally adopted this 1<sup>st</sup> day of August, 2018.**

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Board Chairperson

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Secretary-Treasurer