

<i>Rainy River District School Board</i>	SECTION 1 <i>Governance</i>
FILLING AN ELECTED TRUSTEE VACANCY	1.09

POLICY

The Board of Trustees will fill a vacancy either by appointment or through a by-election.

RATIONALE

One of the following processes shall be used to fill a vacancy during the Board's current term.

IMPLEMENTATION

As per the *Education Act*, the *Municipal Elections Act*, and the following guidelines.

GUIDELINES

1.0 Options to fill an Elected Trustee Vacancy

1.1 The Board may choose to appoint a qualified person or hold a by-election to fill the position. If the vacancy occurs one month before the municipal election, the vacancy will be filled through the election process.

2.0 Appointment Process

2.1 For the appointment process:

- the position should be filled within 90 days of the Board declaring the office vacant.
- the Board shall advertise the vacancy for a minimum of two weeks through newspapers and the RRDSB website.
- all interested persons shall apply in writing to the Director of Education. The names and personal information of qualified applicants will be held in strictest confidence until the information is published in a Special Board Meeting agenda package.

2.2 Applicants who meet the qualifications as outlined in the *Education Act* and the *Municipal Elections Act* shall be provided with the following information:

- Board Bylaws,
- the schedule of Board and committee meetings,
- pertinent governance policies, and
- the RRDSB's Strategic Plan.

3.0 Special Board Meeting to Fill a Vacancy

3.1 The meeting will consist of candidates addressing the Board, similar to the delegation process, with Trustees asking questions only for clarification of each candidate.

- 3.2 Each candidate will be sequestered prior to addressing the Board and during other candidates' presentations, to ensure fairness and due process.
- 3.3 The election to appoint the Trustee will occur immediately and will be conducted in accordance with the general process outlined in Board Bylaws for the election of the executive officers, notwithstanding the additional provisions for breaking a tie.
- 3.4 To be appointed to the position, a candidate must receive a majority vote.
 - Where no majority is received and where there are more than two candidates, the candidate receiving the least number of votes shall be dropped, and the election will continue from among those remaining until one candidate receives a majority.
 - Where there is an equal number of votes between candidates, an additional ballot shall be held between or among the candidates involved to break the tie. If that vote results in a tie, the names of the tied candidates shall be entered into a drawing of lots to determine the successful candidate.
- 3.5 The successful candidate will be sworn in officially at the next regular meeting of the Board.

4.0 By-Election

- 4.1 The by-election process may occur
 - in a year in which no regular municipal election is scheduled;
 - before April 1 of an election year;
 - after the Board is organized in the year of an election.

<p style="text-align: center;"><u>CROSS REFERENCE</u></p> <p><u>Policies:</u></p> <ul style="list-style-type: none"> ▪ 1.07 The Role of the Board ▪ 1.08 Trustee Code of Conduct <p><u>Additional</u></p> <ul style="list-style-type: none"> ▪ Board Procedural Bylaws 	<p><u>Date Approved</u></p> <p>22-01-03</p> <p><u>Board Motion</u></p> <p>009</p> <p><u>Review Prior to</u></p> <p>2028</p>	<p style="text-align: center;"><u>LEGAL/MINISTRY OF EDUCATION REFERENCE</u></p> <p><i>Education Act, S. 219, 221-224</i></p> <p><i>The Municipal Elections Act</i></p> <p><i>The Freedom of Information and Protection of Privacy Act</i></p>
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