

BOARD DELEGATION OF AUTHORITY

The Education Act allows for the Board to delegate certain of its responsibilities and powers to others.

The Board authorizes the Superintendent to do any act or thing or to exercise any power that the Board may do, or is required to do, or may exercise, except those matters which, in accordance with section 52 of the Education Act, cannot be delegated. This delegation of authority to the Superintendent specifically:

- ♦ Includes any authority or responsibility set out in the Education Act and regulations as well as authority or responsibility set out in other legislation or regulations;
- ♦ Includes the ability to enact Administrative Procedures, practices or regulations required to carry out this authority; and also
- ♦ Includes the ability to sub-delegate this authority as required, but maintains responsibility.

Notwithstanding the above, the Board reserves to itself the authority to make decisions on specific matters requiring Board approval. This reserved authority of the Board is set out in Board policies, as amended from time to time.

Further, the Board requires that any new provincial, regional or local initiatives must be initially brought to the Board for discussion and determination of decision-making authority.

Specifically

1. In accordance with Section 213(2) of the Education Act, the Board authorizes the Superintendent to suspend a teacher from the performance of the teacher's duties without prior notice if the Superintendent is of the opinion that the welfare of the students is threatened by the presence of the teacher. The suspension shall be conducted in accordance with the requirements of the Education Act.
2. In accordance with Section 52 of the Education Act, the Board delegates authority to the Superintendent to suspend a teacher from the performance of the teacher's duties under Section 213 of the Education Act. The suspension shall be conducted in accordance with the Education Act.
3. In accordance with Section 52 of the Education Act, the Board delegates authority to the Superintendent to terminate the contract of employment or designation of a teacher. The termination of a contract or designation of a teacher shall be conducted in accordance with the Education Act.
4. A decision of the Superintendent to suspend the services of a teacher or to terminate the contract or designation of a teacher is not appealable to the Board.

5. The Superintendent is delegated the authority to develop Administrative Procedures that are consistent with provincial policies and procedures for the following program areas:

- 5.1 Inclusive Education
- 5.2 Guidance and Counseling
- 5.3 Services for Students and Children
- 5.4 School-Based Decision Making
- 5.6 Student Evaluation
- 5.7 Teacher Growth, Supervision and Evaluation
- 5.8 Home Education
- 5.9 Early Childhood Services
- 5.10 Outreach Programs
- 5.11 Knowledge and Employability Courses
- 5.12 Off – Campus Education
- 5.13 English as a Second Language
- 5.14 French as a Second Language and French Language Immersion
- 5.15 Alternative Programs
- 5.16 Welcoming and Caring Schools and Work Environments
- 5.17 Student Code of Conduct
- 5.18 First Nations Metis and Inuit Education
- 5.19 Learning Commons

6. The Superintendent is delegated authority to develop administrative procedures as necessary to ensure effective, efficient management and operation of the Division.

7. The Superintendent must inform the Board in a Board agenda of any significant procedural changes to administrative procedures.

Legal Reference: Section 33(j), 52, 53, 213 Education Act

Amended: April 30th, 2020