

## Policy 11 – Board Delegation of Authority

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### 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;
- the ability to enact Administrative Procedures, practices or regulations required to carry out this authority; and
- the ability to sub-delegate this authority and responsibility as required.

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. The Superintendent is directed to develop an administrative procedure to fulfill Board obligations created by any federal legislation or provincial legislation other than the Education Act.
2. The Superintendent is delegated the authority to develop Administrative Procedures that are consistent with provincial policies and procedures for the following program areas:
  - 2.1 A welcoming, caring, respectful and safe learning environment (for students and staff)
  - 2.2 Inclusive Education
  - 2.3 First Nations, Métis, Inuit Education
  - 2.4 Guidance and Counseling
  - 2.5 Services for Students and Children
  - 2.6 School-Based Decision Making

- 2.7 Student Evaluation
  - 2.8 Teacher Growth, Supervision and Evaluation
  - 2.9 Home Education
  - 2.10 Early Childhood Services
  - 2.11 Outreach Programs
  - 2.12 Knowledge and Employability Courses
  - 2.13 Locally Developed / Acquired and Authorized Junior and Senior High School Complementary Courses.
  - 2.14 Off – Campus Education
  - 2.15 English as a Second Language
  - 2.16 French as a Second Language and French Language Immersion
  - 2.17 Second Languages
  - 2.18 International Education
3. The Superintendent is authorized to suspend an employee from the performance of the employee's duties without prior notice if the Superintendent of Schools is of the opinion that the welfare of the students is threatened by the presence of the employee. The suspension shall be conducted in accordance with the requirements of the Education Act;
  4. The Superintendent is authorized to terminate the contract of employment of a teacher and to terminate the administrative designation held by a teacher. The termination shall be in accordance with the requirements of the Education Act.
  5. In the case of a termination of a contract of employment for a teacher, provide the affected teacher with the written notice of any termination made pursuant to such delegated power, all within the requirements of the Education Act
  6. The Superintendent of Schools is authorized to terminate the contracts of non-certificated staff in accordance with the Employment Standards Code which is outlined in the Employment Standards Guide and any other pertinent agreements that may exist.
  7. The Board authorizes a line of credit not to exceed the accounts receivable from the preceding year at any one time to meet current expenditures in the fiscal year.
  8. In accordance with directives emanating from federal and provincial authorities in relationships to a Pandemic and the consequent circumstances that may prevail, the superintendent may temporarily suspend current administrative procedures and operating guidelines. Such action shall be reported to the board as soon as possible; along with a recommendation should a change in procedure be warranted.

Legal Reference: Education Act sections 11, 33, 51, 52, 53, 54, 202, 203, 204, 206, 209, 210, 213, 214, 215, 217, 218, 219, 222

Employment Standards Code  
Employment Standards Guide

First Reading: February 10, 2009  
Second Reading: March 10, 2009  
Third Reading: March 10, 2009

First Reading: February 09, 2010  
Second Reading: February 09, 2010  
Third Reading: March 09, 2010

First Reading: December 13, 2011  
Second Reading: March 13, 2012  
Third Reading: March 13, 2012

First reading: June 9, 2020  
Second reading: September 8, 2020  
Third Reading: September 8, 2020