Policy 11

BOARD DELEGATION OF AUTHORITY

The School 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 exercise any power that the Board may do, or is required to do, or exercise, except those matters which, in accordance with section 61(2) of the School Act, cannot be delegated.

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 delegation of authority to the Superintendent specifically:
   1.1 Includes any authority or responsibility set out in the School Act and regulations as well as authority or responsibility set out in other legislation or regulations;
   1.2 Includes the ability to enact Administrative Procedures, practices or regulations required to carry out this authority; and also
   1.3 Includes the ability to sub-delegate this authority and responsibility as required, except as specified in sections 2 and 3 below.

2. The Superintendent is authorized to suspend a teacher from the performance of the teacher’s duties in accordance with sections 105(1) and 105(2) of the School Act. Further, the Superintendent is authorized to terminate all types and forms of teaching contracts of employment and/or administrative designations. The power to suspend or terminate the services of a teacher may not be further delegated. The suspension and/or termination shall be conducted in accordance with the requirements of the School Act, and the decision shall not be appealable to the Board.

3. The Superintendent is also authorized to suspend or terminate non-certificated staff. The suspension or termination shall be in accordance with all relevant legislation, and the decision is not appealable to the Board.

4. The Superintendent is delegated the authority to develop administrative procedures that are consistent with provincial policies, regulations, procedures and, programs and courses outlined in the Guide to Education ECS to Grade 12.
5. The Superintendent is directed to develop an administrative procedure to fulfill Board obligations created by any federal legislation or provincial legislation other than the School Act. One such administrative procedure is:

5.1 A records management program will be maintained to provide systematic over the quality and quantity of information produced by the Division.

6. The Superintendent is delegated the authority to act in the absence of Board policy in cases where an immediate administrative response is required subject to the following:

6.1 If time permits, the Superintendent shall consult with the Board Chair;
6.2 The Superintendent shall inform the Board at the next regular meeting of the action taken and the nature of the emergent issue.

Legal Reference: Section 61, 105 School Act