

## BOARD DELEGATION OF AUTHORITY

### Background

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 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.

### Procedures

1. The Board delegates to the Superintendent the authority to develop Administrative Procedures that are consistent with provincial policies and procedures for the following program areas:
  - 1.1. Locally Developed / Acquired and Authorized Junior and Senior High School Complementary Courses
  - 1.2. French as a Second Language, French Immersion, and Alternative Programs (as defined by Section 21 of the Education Act.)
  - 1.3. Special Education and Inclusive Education
  - 1.4. Services for Students and Children
  - 1.5. Home Education
  - 1.6. Early Childhood Services
  - 1.7. Outreach Programs
  - 1.8. Knowledge and Employability
  - 1.9. Off – Campus Education
  - 1.10. English as a Second Language
  - 1.11. Guidance and Counseling
  - 1.12. School-Based Decision Making
  - 1.13. School Authority Accountability
  - 1.14. Teacher Growth, Supervision and Evaluation
  - 1.15. CTS programming
  - 1.16. Student Evaluations
2. To fulfill Board obligations created by any legislation other than The Education Act, the Superintendent is directed to develop an administrative procedure for each instance of legislation where it is prudent to demonstrate due diligence.
3. The Superintendent is authorized to:
  - 3.1. suspend the services of a teacher, including, without limitation, the power under section 213(2) of the Education Act, 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.
  - 3.2. terminate the contract of employment of a teacher and/or to terminate the administrative designation held by a teacher.
    - 3.2.1. However, the Superintendent shall not sub-delegate the power to suspend or terminate the contract of employment or administrative designation of a teacher.

4. With respect to the power specified in clause 3 above, the Board requires the Superintendent to:
  - 4.1. advise the Board forthwith, in writing, of any suspension or termination of a contract or administrative designation held by a teacher, made pursuant to such delegated powers.
  - 4.2. comply with all applicable requirements as set out within the Education Act with respect to suspension and/or termination of teachers.
  - 4.3. in the case of a termination of a contract of employment for a teacher, provide the affected teacher with written notice of any termination made pursuant to such delegated power, all within the requirements of the Education Act.

**Legal References**

*Education Act, Sections 17, 18, 19, 20, 21, 22, 23, 52, 213*

**Approval Dates**

*February 2007, December 2007, 2011, 2014, April 2017, March 2020, May 2023*

**Revision Dates**

*February 2007, March 2020, May 2023*