

POLICY 5

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 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 61(2) of the School Act, cannot be delegated. This delegation of authority to the Superintendent specifically:

- ◆ 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;
- ◆ 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.

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.

Specifically

1. The Superintendent is authorized to suspend or terminate 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 or termination shall be conducted in accordance with the requirements of Section 105 of the School Act.
2. The Superintendent is delegated the authority to suspend and/or terminate a non-certificated staff member when the Superintendent is of the opinion that the welfare of the students is threatened by the presence of the staff member.
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 Locally Developed/ Acquired and Authorized Junior and Senior High School Complementary Courses, and to advise the Board accordingly;
 - 2.2 French as a Second Language and French Immersion;

- 2.3 Inclusive Education;
- 2.4 Services for Students and Children;
- 2.5 Home Education;
- 2.6 Early Childhood Services;
- 2.7 Outreach Programs;
- 2.8 Knowledge and Employability Skills;
- 2.9 Off-Campus Education;
- 2.10 English as a Second Language;
- 2.11 Guidance and Counseling;
- 2.12 School-Based Decision Making;
- 2.13 School Authority Accountability;
- 2.14 Teacher Growth, Supervision and Evaluation.
- 2.15 All non-resident student fees.

Notwithstanding the above, the Board also reserves to itself the authority to make decisions on specific matters requiring Board approval in accordance with Board policies.

3. Without restricting in any way the general authority granted above, the Superintendent, the Chief Executive Officer and the Chief Educational Officer, has been delegated the management of the District. Included in this delegation are the following:

3.1 The Superintendent has been delegated the authority to close a school, or a number of schools, where an emergency situation has arisen and presents a danger to students and staff, where classroom conditions become intolerable due to mechanical failure, or because of inclement weather.

3.2 The Superintendent has been authorized to accept applications from foreign students and to issue letters of acceptance, subject to specific conditions.

3.3 The Superintendent may authorize a request from a parent to place a child in a school other than a designated school if there is sufficient space.

3.4 The Superintendent is directed to develop Administrative Procedures as specified in the Delegation of Authority Policy and may develop such other procedures as deemed necessary for the effective operation of the District; these must be in accordance with Board Policy. The Superintendent is further directed to develop an Administrative Procedure to fulfill Board obligations created by any federal legislation or provincial legislation other than the *School Act*.

4. The Superintendent shall have the authority to sign all legal documents and contracts on behalf of the Board.