
BOARD DELEGATION OF AUTHORITY

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

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(4) 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 (see Section 222), the *Superintendent Leadership Quality Standard*, 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, subject to clause 1.3.1 below.

Notwithstanding the above, the Board has the authority to make decisions on specific matters. The authority of the Board is set out in Board policies, as amended from time to time.

Specifically

1. The Superintendent is authorized to:

- 1.1 At anytime during the school year, transfer a teacher from one school operated by the Board to another of its schools: Section 212(1). The transfer will be conducted in accordance with the requirements identified in the *Education Act*.
- 1.2 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: Section 213(2). The suspension will be conducted in accordance with the requirements identified in the *Education Act*.
- 1.3 Terminate the contract of employment of a teacher and to terminate the administrative designation held by a teacher.
 - 1.3.1 The Superintendent will not sub-delegate the authority to suspend or terminate the contract of employment or administrative designation of a teacher.
- 1.4 Suspend from the performance of duties or to terminate the services of any non-certificated staff member.

2. With respect to the authority specified in Section 1 above, the Board requires the Superintendent to:

- 2.1 Advise the Board in writing of any suspension or termination of a contract or administrative designation held by a teacher, made pursuant to such delegated authority.
 - 2.2 Comply with all applicable requirements as set out within the *Education Act* with respect to suspension and/or termination of teachers.
 - 2.3 Comply with all relevant legislation with respect to the suspension and/or termination of non-certificated staff members.
 - 2.4 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 authority, all within the requirements of the *Education Act*.
3. The Superintendent is delegated the authority to develop Administrative Procedures that are consistent with provincial policies and procedures, federal legislation, or provincial legislation other than the *Education Act*, that address the following program areas:
- 3.1 General Administration of the Division
 - 3.2 Instructional Programs and Materials
 - 3.3 Student Matters
 - 3.4 Personnel and Employee Matters
 - 3.5 Business Procedures

Legal Reference: Section 31, 51, 52, 53, 202, 203, 204, 206, 208, 209, 210, 211, 213, 214, 215, 217, 218, 219, 222
Education Act

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