



POLICY 11: 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 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. The 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 or practices 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 significant changes to existing programs or operations and 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 authorized to suspend from performance of the teacher's duties or to terminate the services of a teacher. The suspension or termination of a teacher shall be conducted in accordance with the requirements of the *Education Act* and the decision shall not be appealable to the Board of Trustees.
2. The Superintendent is authorized to suspend from the performance of duties or to terminate the services of any non-certificated staff member. The suspension or termination shall be in accordance with all relevant legislation, and the decision shall not be appealable to the Board.
3. The Superintendent shall develop Administrative Procedures that are consistent with the *Education Act*, Regulations and Alberta Education Policies and procedures regarding the following areas:

- 3.1 Locally Developed / Acquired and Authorized Junior and Senior High School Complementary Courses;
 - 3.2 French as a Second Language and French Immersion;
 - 3.3 Inclusive Education;
 - 3.4 Services for Students and Children;
 - 3.5 Home Education;
 - 3.6 Early Childhood Services;
 - 3.7 Outreach Programs;
 - 3.8 Knowledge and Employability;
 - 3.9 Off-campus Education;
 - 3.10 English as a Second Language;
 - 3.11 Guidance and Counseling;
 - 3.12 School-based Decision Making;
 - 3.13 School Authority Accountability;
 - 3.14 Teacher Growth, Supervision and Evaluation;
 - 3.15 Annual Education Results Report;
 - 3.16 International Education;
 - 3.17 Early Childhood Services;
 - 3.18 Student Evaluation; and
 - 3.19 Surplus Land and Buildings
4. Without restricting in any way the general authority granted above, the Superintendent, the Chief Executive Officer and as the Chief Educational Officer, has been delegated the management of the Division. Included in this delegation are the following:
- 4.1 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, or where classroom conditions become intolerable due to mechanical failure, or because of inclement weather.
 - 4.2 The Superintendent has been authorized to accept applications from foreign students and to issue letters of acceptance, subject to specific conditions.

- 4.3 The Superintendent may authorize a request from a parent to place the child in a school other than the designated school if there is sufficient space.
- 4.4 The Superintendent may communicate with Youth Justice personnel about students who have been dealt with under the Youth Criminal Justice Act.
- 4.5 The Superintendent shall decide which type of contract to offer prospective staff.
- 4.6 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 Division; 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 *Education Act*.

Legal Reference: Section 33, 51, 52, 53, 202, 203, 204, 206, 208, 209, 210, 211, 213, 214, 215, 217, 218, 219, 222
Education Act

Revised: May 2005, May 2016, April 2020
Reviewed: May 2009, February 2011