

Policy 12 BOARD DELEGATION OF AUTHORITY

The *Education Act* allows for the Board to delegate certain responsibilities, duties 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(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 as well as authority or responsibility set out in other legislation or Regulations.
- Includes the ability to enact Administrative Procedures, in alignment with Board policies, which are 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 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 the performance of the teacher's duties or to terminate the services of a teacher. The suspension or termination shall be conducted in accordance with the requirements of the *Education Act*, and the decision shall not be appealable to the Board.
2. The Superintendent is authorized to suspend from the performance of duties or terminate the services of any non-certificated staff member. The suspension or termination shall be in accordance with all the 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 Special Education;
 - 3.2 Guidance and Counseling;
 - 3.3 Services for Students and Children;
 - 3.4 School-Based Decision Making;
 - 3.5 Student Evaluation;
 - 3.6 Teacher Growth, Supervision and Evaluation;
 - 3.7 Home Education;
 - 3.8 Early Childhood Services;

- 3.9 Outreach Education;
 - 3.10 Locally Developed/Acquired and Authorized Junior and Senior High School Complimentary Courses;
 - 3.11 Knowledge and Employability Courses;
 - 3.12 Off-Campus Education;
 - 3.13 English Language Learning;
 - 3.14 French as a Second Language, French Language Immersion and Alternate French programming;
 - 3.15 The development of Three-Year Educational Plans. The Board requires that the Superintendent provide each school with a copy of the plan prior to the school completing its yearly plan.
4. The Superintendent is directed to develop an Administrative Procedure to fulfill the Board obligations created by any federal legislation or provincial legislation other than the *Education Act*.
 5. The Superintendent is delegated the authority to act in the absence of Board policy in cases in which an immediate administrative response is required subject to the following:
 - 5.1 The Superintendent shall consult with the Board Chair; if time permits, and
 - 5.2 The Superintendent shall inform the Board at the next regular meeting of the action taken and the nature of the emergent issue.
 6. The Superintendent is delegated the authority to deal with appeals under Section 42 of the *Education Act* with the exception of the following which will be dealt with directly by the Board:
 - 6.1 Placement of a student in a special education program;
 - 6.2 The expulsion of a student;
 - 6.3 Access to and accuracy and completeness of the student's record;
 - 6.4 The amount and payment of fees and costs; and
 - 6.5 The termination of a home education program.
 7. The Superintendent has been delegated the authority to accept resignations from certificated and non-certificated staff and to suspend and terminate a temporary contract.

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

Reference: Elk Island Catholic Policy 11

Reviewed: February 2014, April 2019, January 2020, February 2025

Approved: June 23, 2014, February 2020 May 27, 2021 March 27, 2025