

CODE: CHA.BP**EFFECTIVE DATE:** (22-05-2007)**TOPIC:** Board Delegation of Authority**ISSUE DATE:** (07-09-2021)**REVIEW YEAR:** (2028)

POLICY

1. In accordance with Section 52(1) of the *Education Act*, the Board authorizes the Superintendent of Schools to do any act or thing or exercise any power that the Board may or is required to do or exercise, except those matters which, in accordance with Section 52(4) of the *Education Act*, cannot be delegated.
2. Notwithstanding the above, the Board reserves to itself the authority to make decisions regarding contracts or agreements that have the potential for political sensitivity, harm or impact to the Division's reputation. This authority applies to contracts or agreements with partnerships or funding outside of typical operations or procurement processes that include, but are not limited to:
 - a. International funding sources, governments or organizations.
 - b. Other orders of government within Canada.
 - c. Policing, security or paramilitary organizations.
3. The Board reserves to itself the authority to make decisions regarding new unanticipated expenditures that exceed \$1,200,000 and have not been accounted for in the current annual budget.
4. In accordance with Section 52(5)(a) of the *Education Act*, the Board delegates authority to the Superintendent of Schools to suspend the services of a teacher under Sections 213(1) and (2) of the *Education Act*.
5. In accordance with Section 52(5)(b) of the *Education Act*, the Board delegates authority to the Superintendent of Schools to terminate the services of a teacher.
6. A decision of the Superintendent of Schools to suspend or terminate the services of a teacher is not appealable to the Board.
7. Pursuant to Section 95 of the *Freedom of Information and Protection of Privacy Act*, the Board designates the Superintendent as head of the Division for the purposes of the *Freedom of Information and Protection of Privacy Act*.
8. 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.

REFERENCES

CH.BP Framework for Policy Development and Review
FGB.BP Evaluation of Superintendent of Schools
Education Act Sections 52, 62, 213, 215
Freedom of Information and Protection of Privacy Act