



## **CALGARY BOARD OF EDUCATION**

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### **Board of Trustees' Policy – Board-Chief Superintendent Linkage B-4E: Delegation of Authority Resolution**

Following is the Delegation of Authority Resolution approved by the Board of Trustees on October 26, 2010:

**BE IT RESOLVED:**

- A. THAT the Board of Trustees rescinds the Board of Trustees' December 4, 2007 resolution on delegation of authority.
- B. THAT, pursuant to its powers under section 61 of the *School Act*:
  1. The Board of Trustees delegates to the Chief Superintendent, including the power to sub-delegate thereafter, the power to do any act or thing or exercise any power that the Board may or is required to do or exercise except:
    - (a) those matters which, in accordance with section 61(2) of the *School Act*, cannot be delegated;
    - (b) the power to terminate the services of a teacher or to terminate a contract of employment of a teacher;
    - (c) the power under section 107(4) of the *School Act* to suspend a teacher from the performance of a teacher's duties in accordance with the notice where a teacher has been served with a notice of termination of a contract of employment;
    - (d) the appointment of an auditor under section 146 of the *School Act* and the examination of the auditor's report under section 150 of the *School Act*; and
    - (e) those specific matters and decisions reserved to the Board of Trustees in its Governance Policies (i.e., Ends, Executive Limitations, Board-Chief Superintendent Linkages and Governance Process policies).
  2. The Board of Trustees delegates only to the Chief Superintendent, without the power to sub-delegate thereafter:
    - (a) the power under section 105(1) of the *School Act* to suspend a teacher from the performance of the teacher's duties when the Chief Superintendent has reasonable grounds for believing that the teacher has been guilty of gross misconduct, neglecting the teacher's duty or refusing or neglecting to obey a lawful order of the board;
    - (b) the power under section 105(2) of the *School Act* to suspend a teacher from the performance of the teacher's duties without prior notice if the Chief Superintendent is of



## **CALGARY BOARD OF EDUCATION**

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### **Board of Trustees' Policy – Board-Chief Superintendent Linkage Page 2 to B-4E: Delegation of Authority Resolution**

the opinion that the welfare of students is threatened by the presence of the teacher; and

- (c) the power under section 107(1)(b) of the *School Act* to terminate a designation of a teacher made pursuant to section 19, 95 or 96 of the *School Act*.
3. With respect to the powers specified in Paragraphs B.2.(a) and (b) above, the Board of Trustees requires the Chief Superintendent to:
- (a) advise the Board of Trustees forthwith in writing of any suspension directed pursuant to such delegated power;
  - (b) advise the affected teacher forthwith in writing of the reasons for the suspension of the teacher; and
  - (c) forward a copy of the notice of suspension together with a written statement of the facts alleged, to the Board of Trustees and to the Minister.
4. No decision of the Chief Superintendent to suspend the services of a teacher, or to terminate a designation made pursuant to section 19, 95 or 96 of the *School Act*, may be appealed to the Board of Trustees.
- C. THAT, pursuant to its powers under section 61 of the *School Act* and section 95 of the *Freedom of Information and Protection of Privacy Act*, the Board of Trustees designates the Chief Superintendent as head of the Calgary Board of Education for purposes of the *Freedom of Information and Protection of Privacy Act*.
- D. THAT, pursuant to its powers under section 9 of the *Student Record Regulation*, the Board of Trustees designates the Chief Superintendent to be responsible for ensuring that the policies and procedures established by the Board of Trustees relating to student records and to information referred to in section 3 of the *Student Record Regulation* comply with the *Student Record Regulation* and the *Freedom of Information and Protection of Privacy Act*.
- E. THAT, pursuant to its delegation of authority specified in Paragraph B. above, and in accordance with section 123 of the *School Act*, the Board of Trustees resolves to establish the appeal procedures set out in the Chief Superintendent's Administrative Regulations or Chief Superintendent's Directives, including:



## **CALGARY BOARD OF EDUCATION**

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### **Board of Trustees' Policy – Board-Chief Superintendent Linkage Page 3 to B-4E: Delegation of Authority Resolution**

1. Administrative Regulation 1090 – Long Range Student Accommodation Planning Process;
2. Administrative Regulation 3003 - Special Education;
3. Administrative Regulation 3013 - Program Issues and Challenges;
4. Administrative Regulation 3017A - Admission of Students;
5. Administrative Regulation and Procedures 3018 – Promotion and Pupil Placement;
6. Administrative Regulation 3081 - Staff and Resource Allocation Decisions;
7. Administrative Regulation 4027.2 - Personal and Sexual Harassment;
8. Administrative Regulation 5007 - Community Concerns and Complaints;
9. Administrative Regulation 6001 - School Discipline;
10. Administrative Regulation 6093 - Fourth Year of High School;
11. Administrative Regulation 6095 - Transportation of Students;
12. Administrative Regulation 7006 - Student Fees;
13. any other student appeal procedures set out in the Chief Superintendent's Administrative Regulations or Chief Superintendent's Directives; and
14. any future student appeal procedures set out in the Chief Superintendent's Administrative Regulations or Chief Superintendent's Directives as long as the Chief Superintendent gives notice in writing to the Board of Trustees prior to the approval of such by the Chief.