



BOARD POLICY No. GOV 09	
Adopted	March 25, 2014
Last Revised	May 23, 2018
Review Date	
Board Motion	18-R82

DELEGATION OF AUTHORITY

1. RATIONALE

This governance policy delegates certain responsibilities and powers of Rainbow District School Board to the Director of Education, and describes executive limitations on those powers.

2. POLICY

- 2.1 This policy delegates authority to enable the Director of Education to provide leadership as the chief education officer and chief executive officer of Rainbow District School Board. The Director of Education is responsible for the administration of all aspects of the school board's operations.
- 2.2 The Board entrusts the day-to-day management of the school system to its staff under the leadership of the Director.
- 2.3 The Director of Education is authorized to hire staff in accordance with the *Education Act*, the *Human Rights Code*, requirements for a criminal record check under the *Criminal Code (Canada)*, and within the staff complements and salary ranges approved in collective agreements and the annual Board budget.
- 2.4 The Board delegates authority to the Director to hire staff using a fair selection process based on qualifications, experience, and merit that supports the creation of a bias-free workplace.
- 2.5 The Director is authorized to establish human resource procedures, including performance appraisals, job expectations and responsibilities, job authority for the staff, professional development of all staff, the effective handling of grievances, and protection against wrongful conditions.
- 2.6 All negotiating teams are the responsibility of the Director of Education and all members of negotiating teams are accountable to the Director.
- 2.7 Examples of matters which the Board cannot delegate include: policy development and review, selection of the Director of Education, the Director's performance appraisal, decisions regarding appeals of student suspensions and student expulsion, and decisions related to a recommendation from the Director of Education to terminate the employment of a teacher as a result of unsatisfactory performance.

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- 2.8 Board delegation of authority is within certain executive limitations, including but not limited to the following:
- a) The Director of Education shall comply with all legal, Ministerial, and Board mandates.
 - b) Budgeting for any fiscal year or part of any fiscal year shall comply with legislative requirements and Board strategic planning.
 - c) The Director will obtain clear parameters for settlement from the Board before undertaking negotiations with any employee bargaining unit, and will abide by the terms of collective agreements.
 - d) The Director will avoid and declare potential conflict and bias during the selection process and in the workplace arising from a work relationship between an employee and a member of that employee's immediate family, including the Director of Education.
 - e) The Director will ensure that student accommodation and capital planning does not deviate materially from the approved Capital Plan.
 - f) The Director will ensure that Board assets are protected from unnecessary risk and are insured against theft and casualty losses to at least replacement value.
 - g) The Director will ensure that Board buildings and equipment are maintained in a state that meets health and safety standards.
 - h) The Director will protect the organization, the Board, and staff from unnecessary exposure to claims of liability or loss.
- 2.9 The Board reserves to itself the authority to make decisions on specific matters. The Board will instruct the Director of Education through written policies and decisions of the Board in public session. Further, the Board requires that any new provincial legislation or major initiatives must be initially brought to the Board for discussion and determination of decision-making authority.

3. DELEGATION: ADMINISTRATIVE PROCEDURES

- 3.1 The Board delegates to the Director the right to develop administrative procedures to implement Board policy and to address all issues not governed by Board policy.
- 3.2 The development of separate and distinct policy and procedural documents reinforces the distinction between the Board's responsibility to govern and the Director's executive or administrative duties.
- 3.3 The Director of Education and designates will develop, implement, and monitor a comprehensive series of administrative procedures. The procedures must comply with legislated requirements; be consistent with Board policies, goals and priorities; provide system direction; and ensure the reasonably uniform application of the procedures by those staff members responsible for their implementation.
- 3.4 Procedures will evolve over time as new tools emerge, new processes are designed, and the environment changes. Procedures must be agile and responsive to the context. Procedures that are unnecessarily restrictive limit the creativity that staff members bring to their work.
- 3.5 The Board delegates to the Director of Education the authority to develop administrative procedures in the following major categories:

- **General Administration:** General administration procedures deal with system planning, matters that affect the whole district, issues that affect both students and staff members, and community involvement.
- **Educational Programs and Materials:** These procedures describe school organization, the curriculum, instructional strategies, and curriculum resources.
- **Students:** These administrative procedures deal with all student matters. Some examples are school attendance, student welfare and safety, supervision, emergency plans, discipline, student evaluation, reporting to parents, and awards.
- **Personnel and Staff Relations:** These procedures deal with any matters related to staff members or volunteers. Procedures describe such issues as hiring of staff, staff records, health and safety, benefits and assistance, professional development, performance appraisal, professional misconduct, and recognition.
- **Business Administration:** Business administration procedures relate to the management and maintenance of the Human Resources, Finance, Facilities and Information Services departments.

REFERENCE DOCUMENTS

Legal:

Education Act, sections 218.1 and 283

Human Rights Code

Criminal Code (Canada)

Ontario Regulation 521/01 Collection of Personal Information

Policy/Program Memoranda

Child and Family Services Act

Ontario College of Teachers Act

Employment Standards Act

Labour Relations Act

Municipal Freedom of Information and Protection of Privacy Act

Occupational Health and Safety Act

Board:

Board Governance Policies

Administrative Procedures

Strategic Directions for Rainbow Schools