



KENORA CATHOLIC DISTRICT SCHOOL BOARD

100 General Administration Procedures

AP 115: Delegation of Authority Regarding Discipline

Changes to the Education Act provide a principal with the authority to delegate in accordance with Policy Program Memorandum 145 and any applicable guideline powers, duties, or functions under Part XIII – “Behaviour, Discipline and Safety”. Whenever possible, boards must ensure that at least one school administrator is present on school property.

- The goal of the policy is to support a safe learning and teaching environment in which every student can reach his or her full potential.
- Appropriate action must consistently be taken to address behaviours that are contrary to provincial and board codes of conduct.
- Homophobia, gender-based violence, sexual harassment, and inappropriate sexual behaviour must be addressed.
- Progressive discipline is an approach that makes use of a continuum of prevention programs, interventions, supports, and consequences, building upon strategies that promote positive behaviours.
- The range of interventions, supports, and consequences used by the board and all schools must be clear and developmentally appropriate, and must include learning opportunities for students in order to reinforce positive behaviours and help students make good choices.
- For students with special education needs, interventions, supports, and consequences must be consistent with the expectations in the student's IEP.
- The board, and school administrators, must consider all mitigating and other factors, as required by the Education Act and as set out in Ontario Regulation 472/07.

1. Procedure:

- 1.1 A delegation of authority under Part XIII of the Education Act must be in writing and is subject to any restrictions, limitations, and conditions set out in the delegation and are subject to procedures set out by the Board, which, at a minimum, must be as follows.
- 1.2 The delegation may be a long-standing one rather than one that is instituted on a case by case basis.
- 1.3 The delegation of responsibilities by the principal will clearly indicate that such delegation will not include the decision whether to recommend the matter for an

expulsion, the letter indicating whether or not the matter will be referred for an expulsion hearing, and the preparation of the principal's report for the purpose of a recommendation with respect to expulsion.

- 1.4 The principal will be designated as the party for a suspension appeal or an expulsion recommendation, and this cannot be delegated to any other individual.
- 1.5 As a result, the principal will need to be involved or briefed as much as possible leading up to and including an appeal or an expulsion recommendation by the individual who was delegated the authority in the absence of the principal from the school.
- 1.6 In the event of a long term suspension or expulsion the principal will follow the board procedure with respect to the student action plan and other responsibilities pursuant to the PPM.

2. Vice-Principals delegation of authority:

- 2.1 Delegation may include all authority of the principal under Part XIII of the Education Act except the final decision regarding a recommendation to the Board to expel a student.
- 2.2 Vice-principals may be delegated the authority to suspend a student for less than six school days.
- 2.2 The principal of a school may delegate, in writing, any of his or her powers, duties or functions under Part XIII Behaviour, Discipline and Safety to a vice-principal of the school or a teacher employed in the school.
- 2.3 In consultation with the vice-principal the school principal shall delegate in his absence how many days a vice-principal may be allowed to suspend a student up to a maximum of five school days.
- 2.4 A delegation of authority under this procedure is subject to any restrictions, limitations and conditions set out in the delegation of authority.
 - 2.4.1 A delegation of authority under this procedure shall be in accordance with any board policies and guidelines established by the Minister under subsection 301 (5.1) or by the Board under subsection 302 (0.1).

3. Teachers delegation of authority:

- 3.1** The principal's authority under Part XIII of the Education Act may only be delegated in writing to a teacher in the absence of the principal and vice-principal, and must respect the terms of all applicable collective agreements.
- 3.2** Teachers may be delegated the authority to initially deal with situations involving activities that occur that must be considered for suspension or expulsion.
- 3.3** The most important consideration in these circumstances is the safety of those involved. Any initial investigation must be undertaken according to board direction.
- 3.4** The teacher must report all details of the initial investigation to the principal as soon as possible.
- 3.5** The teacher will report to the principal or vice-principal any activities that must be considered for suspension or expulsion that are received from staff or others during the principal's absence.
- 3.6** A teacher may not be delegated authority regarding suspension decisions or recommendations regarding expulsion of students.
- 3.7** A teacher may be delegated limited authority to contact the parents of a student who has been harmed as the result of an activity for which suspension or expulsion must be considered. The information provided to the parents by a teacher must be limited to the nature of the harm to the student and the nature of the activity that resulted in the harm.
- 3.8** The teacher will not be delegated the authority to discuss the nature of any discipline measures taken in response to the activity.
- 3.9** If the teacher is not sure whether he or she should call the parents, the teacher should contact the principal or supervisory officer for direction. The principal or vice-principal will follow up with the parents as soon as possible.
- 3.10** In situations where no school administrator is present on school property, the school principal will inform all staff when and to whom administrative responsibilities have been delegated.
- 3.11** The school principal will provide the process for providing support and information to individuals who have been delegated authority – for example, information on which supervisory officer is available at the board contact number for the school principal or vice principal.

Legal Reference:

Education Act, Part XIII S. 301 & 302 Behaviour, Discipline and Safety
Policy and Program Memorandum 145

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