

AVON MAITLAND DISTRICT SCHOOL BOARD

ADMINISTRATIVE PROCEDURE

NO. 467

SUBJECT: DELEGATION OF AUTHORITY / TEACHER-IN-CHARGE

Legal References: *Education Act: Section 285 Chief Executive Officer: Maintain an Effective Organization; Education Act: Section 265 Duties of Principal: Care of Pupils and Property; Education Act: Section 264 Duties of Teacher: Proper Order and Discipline; R.R.O. Reg. 298 Operation of Schools: Section 11 Duties of Principals - Organization and Management of the School; R.R.O. Reg. 298: Section 12 Vice-Principals: In Charge in the Absence of the Principal; Guideline - Ontario Schools Code of Conduct; Bill 157: Education Amendment Act (Keeping our Kids Safe at School Act), 2009; Ministry of Education Policy and Program Memorandum (PPM) 144 Bullying Prevention and Intervention; PPM145 Progressive Discipline and Promoting Positive Student Behaviour*

Related References: *Administrative Procedure (AP) 105 School Planning and Reporting; AP200 Organization for Instruction; AP351 Code of Conduct; AP352 Promoting Positive Student Behaviour Including Progressive Discipline and Bullying Prevention and Intervention; Form 467A Delegation of Authority – Vice-Principal and Form 467B Delegation of Authority – Teacher-In-Charge*

Pursuant to the *Education Act*, principals are required to maintain proper order and discipline in schools, and students are responsible to the principal for their conduct and are required to accept such discipline as would be exercised by a reasonable, kind, firm and judicious parent.

A principal may delegate authority for discipline matters to a vice-principal or teacher-in-charge in accordance with the board's procedures. A delegation of authority to a teacher-in-charge will only come into effect if there are no administrators present on school property. Those who are delegated authority for discipline matters must respect and implement their duties and decisions as required by the *Education Act*, board administrative procedures and the *Human Rights Code* of Ontario.

1. Consistent Leadership in the School

This administrative procedure is established:

- 1.1 to ensure consistent leadership in the school, and security of the school when the principal is absent from the school
- 1.2 to expand the leadership opportunities for teachers in the system
- 1.3 to provide a consistent process for the appointment of teachers-in-charge.

2. Delegation of Authority

- 2.1 When a principal is absent from the school, the vice-principal of the school will act as principal. Depending upon the length of the absence and other appropriate considerations, occasional teacher coverage may be necessary.

- 2.2 When there is no vice-principal and the principal is absent from school, or where the vice-principal is also absent, a teacher-in-charge may be delegated authority to act as principal.
- 2.3 A principal of a school will delegate authority in writing. The document (Form 467A Delegation of Authority – Vice-Principal and Form 467B Delegation of Authority – Teacher-In-Charge) may be valid up to the end of the current school year and no longer. The document will be filed by the principal and copied for the delegate.
- 2.4 When a teacher-in-charge has been delegated duty of authority the principal will communicate with staff the time frame and to whom the administrative responsibilities have been delegated. Electronic communication is sufficient.
- 2.5 Replacement for longer-term absences of the principal will be made by Senior Staff.

3. Student Discipline

In agreement with Ministry of Education Policy and Program Memorandum 145 and as per Delegation of Authority under Part XIII of the *Education Act*.

Vice-Principals

- 3.1 Authority delegated to the vice-principal shall be identified in writing (Form 467A) identifying the vice-principal's responsibilities and duties for discipline matters within the school, which may include one or more of the following:
 - a) receive reports about suspension and expulsion infractions from board employees and school bus drivers;
 - b) contact police in accordance with the Police and School Response Protocol;
 - c) conduct investigations and inquiries;
 - d) consider and implement progressive discipline measures;
 - e) impose suspensions of between one (1) and five (5) days;
 - f) develop and implement Student Action Plans;
 - g) notify a parent/guardian of a student who has been victim of an incident;
 - h) develop a Safety Plan;
 - i) develop a Transition Plan; or,
 - j) organize and be responsible for school transfer meeting.

The principal may delegate one or more of the above noted responsibilities to a vice-principal to be performed by the vice-principal despite the principal's presence in the school.

- 3.2 A vice-principal may not be delegated the power to impose a suspension of more than five (5) days or make the final decision with respect to recommending to the board that a pupil be expelled.

Teachers

- 3.3 Authority delegated to a teacher-in-charge by the principal shall be in writing (Form 467B), identifying the limited authority for student discipline which may include one or more of the following:
 - a) to receive reports about suspension and expulsion infractions from board employees and transportation providers, in which case, the teacher-in-charge shall at the earliest opportunity inform the principal or vice-principal and when the absence of the principal and vice-principal might be for two (2) or more days, the superintendent;

- b) to initially deal with situations involving activities that occur that must be considered for suspension and/or expulsion; and/or,
 - c) for limited authority to contact the parent 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.
- 3.4 The teacher-in-charge must not be delegated the authority to discuss the nature of any discipline measures taken in response to the activity.
- 3.5 A teacher-in-charge shall not be delegated authority to suspend a student.
- 3.6 If the teacher-in-charge is not clear on whether to call the parent(s) or guardian(s) the teacher should contact the principal or superintendent for direction. The principal or vice-principal will follow-up with the parent as soon as possible.
- 3.7 The teacher-in-charge must respect the terms of all applicable collective agreements.

4. Appointment of Teacher-in-Charge

- 4.1 At the commencement of each school year, the principal of each school will ask teachers to express interest in being teacher-in-charge. The principal will appoint a teacher-in-charge in September of each school year, or more frequently as circumstances may require from those who have expressed interest or who have been identified for leadership opportunities. More than one teacher may serve as teacher-in-charge over the course of the school year.
- 4.2 In selecting the teacher-in-charge, the principal should consider the following:
- a) demonstration of interest in a position of leadership;
 - b) ability to work co-operatively with other staff members;
 - c) ability to work with parents and school community;
 - d) familiarity and background experience with school routines; and,
 - e) breadth of experience at the school or district level.
- 4.3 Where there are no teachers interested in the teacher-in-charge position, the principal will contact the regional superintendent to discuss alternate arrangements that would include the appointment of an appropriate candidate.
- 4.4 Orientation of Teacher-in-Charge

A principal will provide an orientation for the teacher-in-charge which should include, but is not limited to:

- a) a review of delegation of authority responsibilities for discipline matters as per Delegation of Authority agreement (Form 467B);
- b) a review of Administrative Procedure 467 Delegation of Authority / Teacher-in-Charge;
- c) a review of the school handbook;
- d) a review of all school emergency plans and procedures;
- e) the location of important information such as class lists, phone numbers, addresses, occasional teacher lists, oral medication, medical procedures, etc.;
- f) information about students who are medically-at-risk;

- g) the names of staff members who have first aid training; and,
- h) the location of and proper use of specific forms, such as accident forms.

4.5 Safe Schools – Teacher-in-Charge

- 4.5.1 The teacher-in-charge must know the requirements of the *Education Act*, Section 304, R.R.O. Reg. 298 Section 4 and O. Reg. 435/00 with respect to opening or closing exercises. The teacher must know the requirements of O. Reg. 474/00 regarding access to schools and of the *Education Act*, Sections 306-310 regarding suspensions and expulsions.
- 4.5.2 If a student commits an infraction for which they may be suspended or expelled, the teacher-in-charge shall contact the principal or supervising school administrator immediately.
- 4.5.3 If the police are required to respond to an incident at the school, the teacher-in-charge must notify the parent(s)/guardian(s) before the police interview any students. The exception to this will be when the police specifically direct that, for safety reasons, the parent(s)/guardian(s) not be notified.
- 4.5.4 The teacher-in-charge must be familiar with, and follow Administrative Procedure 346 Children in Need of Protection for reporting child abuse should an incident, or information gathered by the principal, require this.

4.6 Supervising School Administrator/Support for Teacher-in-Charge

- 4.6.1 Prior to the commencement of the school year, each principal will have established a link with a principal or vice-principal from another school to act as supervising school administrator.
- 4.6.2 The supervisory and contact list will be coordinated by the regional superintendent.
- 4.6.3 Each time the principal delegates authority they will ensure the teacher-in-charge has:
 - a) the principal's expectations for delegation of authority for student discipline within the limits outlined in 3.3 of this policy as per Delegation of Authority under Part XIII of the *Education Act*; and,
 - b) the contact information (cell phone if appropriate) for the:
 - principal
 - vice-principal (where appropriate)
 - supervising administrator (name, school, contact info); and,
 - regional superintendent.

4.7 Administration/Record Keeping

- 4.7.1 The teacher-in-charge will keep a log of occurrences, dates and times of actions taken on behalf of the principal. A teacher acting as teacher-in-charge shall not be required to discipline or evaluate other teachers during the course of their duties.
- 4.7.2 The allowance for time spent as teacher-in-charge is as established by collective agreement. Payment will only be approved in cases where the teacher was required to act as teacher-in-charge for at least one-half of the school day. Such time must be recorded on the monthly attendance sheets submitted to the administrative office.
- 4.7.3 While a teacher is performing the duties of a teacher-in-charge, an occasional teacher may be secured to perform the responsibilities of that teacher. General parameters for securing such coverage will be established with principals through the regional superintendent.