

**Ordinance on the Delegation  
of Powers to the Executive Committee  
and management personnel of the Kativik School Board**  
***Adopted by CC1999/2000-4 and amended by: CC651-2005/2006-44, 2008/2009-50,  
2009/2010-52, 2010/2011-55, 2013/2014-01 and 2014/2015-62***

According to sections 185, 187 and 662 of the *Education Act for Cree, Inuit and Naskapi Native persons*, the Council of Commissioners of the Kativik School Board may, by ordinance, delegate some of its rights, powers and obligations to the Executive Committee, Director-General, Assistant Director-General, Secretary-General and management personnel. Any right, power and obligation delegated in this ordinance must be exercised in respect of budgets, policies, collective agreements and laws applicable to the Kativik School Board.

## **1) Definitions**

The positions identified in this Ordinance, are described in the *By-law respecting the employment conditions of management personnel of the Kativik School Board*.

## **2) Delegation to the Executive Committee**

The Council of Commissioners (hereinafter called "*the Council*") hereby delegates the following rights, powers and obligations to the Executive Committee:

### **2.1 Personnel:**

- a) to approve the hiring of teachers and professionals as well as their promotion, re-assignment, transfer, demotion, placement on availability, non-renewal of engagement, dismissal and cancellation of contract;
- b) to approve the hiring of management positions within the Board as well as their promotion, re-assignment, transfer, demotion, placement on availability, and dismissal. This article does not apply to the position of Director-General and Assistant Director-General;
- c) to approve the change of a position's location from a Nunavik community to another;
- d) to decide on all matters relating to classification and reclassification (including the appointment of members on the reclassification committee) for all positions within the Board, with the exception of the position of Director-General and Assistant Director-General;
- e) to modify or abolish professionals and support staff positions;
- f) to suspend an employee, except the Director-General and the Assistant Director-General, of his duties with or without salary;
- g) to approve leaves without salaries of 30 days and more for all employees except support staff and to approve any leave with pay for all employees;
- h) to approve out of court settlements related to employee grievances or other labour related litigation, not exceeding \$250,000;
- i) to appoint the representatives of the Board on Labour Relations Committees;

- j) to appoint and determine the mandate of the Board representatives on the Committee established to negotiate the collective agreements or the working conditions of the employees of the Board and to approve or request the Government to adopt or decree such collective agreements or working conditions;

## **2.2 Health and safety:**

- a) to approve the regulations applicable throughout the Board respecting health and safety in the schools which are not contrary to the regulations adopted by the Government of Québec and local governments on such matters;
- b) to approve rules for the management and good order of the schools.

## **2.3 Material Resources:**

Subject to the approval of the Minister when required by law:

- a) to approve the sale of any moveable property belonging to the Board insofar as the total value of the property involved in the transaction does not exceed \$25,000;
- b) to approve the purchase by the Board of moveable and immovable property for amounts not exceeding \$250,000;
- c) to approve the lease of immovable property belonging to the Board for periods not exceeding 5 years for amounts not exceeding \$250,000;
- d) to approve the lease by the Board of immovable property for periods not exceeding 5 years, as well as the renewal of such lease agreements or any other agreements approved by the Council for amounts not exceeding \$250,000;
- e) to approve capital projects, including capital repairs and renovations, insofar as the total project cost is estimated to not exceed \$250,000;
- f) to approve plans and specifications for the capital projects of the Board, once a project has been approved by the Council.

## **2.4 Financial matter:**

- a) to approve all other contracts of the Board, insofar as the amount involved does not exceed \$250,000;
- b) to ratify expenses and payments of accounts of the Board other than expenses that are otherwise under the responsibility of another instance, as per this ordinance;
- c) to authorize cost reallocations within the budget of the Board for amounts not exceeding \$250,000 provided that such reallocations do not exceed the general overall budget approved by the Council.

## **2.5 Pedagogical matters:**

- a) to authorize the curriculum framework for various levels of pre-school, primary, secondary and adult education;
- b) to approve a suspension or expulsion from school any student whose conduct is unacceptable either in word or deed;
- c) to make agreements whereby children with special needs under the jurisdiction of the Board may, at its expense, attend a school of another board or a private education institution, and approve requests in this respect, in accordance with section 450 of the Education Act;

- d) to approve post-secondary sponsoring requests for persons under the jurisdiction of the Board.

### **3) Delegation to the Director-General**

The Council hereby delegates the following rights, powers and obligations to the Director-General and in his absence to the Assistant Director-General:

#### **3.1 Administration:**

- a) to oversee and be responsible for the day to day administration of the Board;
- b) to ensure that ordinances, policies, resolutions and decisions of the Council and of the Executive Committee are carried out and implemented;
- c) to approve directives and procedures on any subjects to ensure the good functioning of the operations of the Board and this in accordance with policies in effect, if any.

#### **3.2 Personnel:**

- a) to supervise and oversee the activities of the Assistant Director-General, the Secretary-General and any other senior management staff of the Board under his jurisdiction;
- b) to approve the hiring of support staff as well as their promotion, re-assignment, transfer, demotion, placement on availability and dismissal;
- c) to approve the hiring of temporary employees for expected periods exceeding 60 days as well as their dismissal;
- d) to take disciplinary measures and suspend any employee of his duties, except the Assistant Director General, with or without salary;
- e) to approve the transfer of professionals from one department to another;
- f) to modify or abolish vacant support staff positions, subject to the ratification from the Executive Committee;
- g) to terminate employment, except for the Assistant Director General, for unsuccessful probation period, after recommendation and evaluation of the concerned immediate supervisor;
- h) to approve the work schedule as provided in Board Policies and the vacation schedules for the senior management staff;
- i) to approve recuperation days of senior management staff;
- j) to approve leaves without salaries for all support staff and to approve leaves without salaries of less than 30 days for any other employee when not otherwise provided in this Ordinance;
- k) to approve out of court settlements related to employee grievances or other labour related litigation insofar as the total value of the settlement does not exceed \$25,000.

#### **3.3 Material Resources:**

- a) to approve the sale to third parties of any moveable property belonging to the Board insofar as the total value of the property involved in the transaction does not exceed \$10,000;

- b) to approve the purchase by the Board of moveable and immovable property for amounts not exceeding \$100,000 and \$50,000 respectively;
- c) to approve the lease of immovable property for periods not exceeding 1 year, as well as the renewal of such lease agreements insofar as the cumulative renewal period does not exceed 5 years and are not for amounts exceeding \$100,000. This 5 years limit does not apply to residential leases involving Board's employees;
- d) to authorize expenses related to material resources for amounts not exceeding \$100,000.

### **3.4 Financial matters:**

- a) to authorize expenses of the Board and payments of accounts for amounts not exceeding \$100,000;
- b) to approve contracts of the Board insofar as the total consideration involved does not exceed \$100,000;
- c) in coordination with the Director of Financial Resources, to authorize cost reallocations for amounts not exceeding \$75,000 within the budget of the Board or within previously approved capital projects, insofar as such cost reallocations do not exceed the overall budget approved by the Council;
- d) to approve the expense accounts of all management staff under his direct supervision.

### **3.5 Others:**

- to order any expenditure deemed necessary and award any contract necessary in case of situations threatening the life or health of the school population or that may seriously damage the equipment of the School Board. In such a case, the Director General must make a report of such action and the reasons to the Executive Committee at its next sitting.

## **4) Delegation to the Assistant Director-General**

The Council hereby delegates the following rights, powers and obligations to the Assistant Director-General:

- a) to carry out the duties and functions of the Director-General in cases where the Director-General is absent or otherwise unable to personally carry out such duties and functions;
- b) to supervise and oversee the activities of the personnel under his jurisdiction and to take disciplinary measures and suspend any of these employees, with or without salary;
- c) to approve contracts and expenses related to departments under his jurisdiction, insofar as the total consideration involved does not exceed \$75,000.

## **5) Delegation to the Directors of Departments**

The Council hereby delegates the following rights, powers and obligations to the Directors of each department:

### **5.1 Personnel:**

- a) to hire temporary employees under their direct supervision, subject to the priority list:
  - i. in an existing position within their department or;
  - ii. for additional workload for periods not exceeding 60 days;
- b) to approve the work schedule as provided in Board Policies and the vacation schedules for personnel under their direct supervision;
- c) to impose, after consultation with Human Resources, disciplinary measures and suspensions not exceeding 10 working days with or without pay, for employees within their department;
- d) to approve leaves without salaries for valid reasons not exceeding a total of 10 working days per school year, for employees within their department.

### **5.2 Financial matters:**

- a) to approve contracts, and expenses related to their department, insofar as the amount does not exceed \$50,000;
- b) in coordination with the Director of Financial Resources, to authorize cost reallocations for amounts not exceeding \$50,000 within the budget of their department provided that such reallocations does not exceed the general overall budget approved by the Council;
- c) to approve travels and related expenses of employees under their jurisdiction.

## **6) Delegation to the Assistant Directors and Coordinators**

The Council hereby delegates the following rights, powers and obligations to the Assistant Directors and Coordinators.

### **6.1 Personnel:**

- a) to hire temporary employees under their direct supervision, subject to the priority list:
  - i. in an existing position in their department or
  - ii. for additional workload for periods not exceeding 60 days;
- b) to approve the work schedule as provided in Board Policies and the vacation schedules for personnel under their supervision;
- c) to impose, after consultation with Human Resources, disciplinary measures and suspensions not exceeding 5 working days with or without pay, for employees within their department;
- d) to approve leaves without salaries for valid reasons not exceeding a total of 5 working days per school year, for employees within their department.

## **6.2 Financial matters:**

- a) to approve contracts, and expenses related to their department, insofar as the amount does not exceed \$10 000;
- b) to approve travel and related expenses of employees under their direct supervision.

## **7) Delegation to the Coordinators of Community Education Services, the Center Directors and Residence Manager of Adult Education as well as the Managers of Material Resources Services and Transport Services**

The Council hereby delegates the following rights, powers and obligations to the Coordinators of Community Education Services of each school, the Center Directors and Residence Manager of Adult Education and the Managers of Material Resources Services and Transport, when applicable.

### **7.1 Personnel:**

For employees under their direct supervision:

- a) to hire temporary employees as replacements in existing positions, subject to the priority list;
- b) to approve leaves without salaries for valid reasons not exceeding a total of 5 working days per school year.
- c) to impose, after consultation with Human Resources, disciplinary measures and suspensions for periods not exceeding 5 working days;
- d) to approve requests for social travel.

### **7.2 Financial matters:**

- a) to authorize expenses related to the Board's activities in their community for amounts not exceeding \$5,000;
- b) to approve the acquisition of supplies for the school with the recommendation of the School Principal for pedagogical materials for amounts as approved by the Council.

### **7.3 Material Resources:**

- after consultation with the Education Committee (not for Adult education Centers), to authorize the lease of immovable property belonging to the Board to third parties for periods not exceeding 3 months.

### **7.4 Residence Manager / Adult Education Services:**

The Council hereby delegates additional powers and rights to the Residence Manager:

- to warn and expel from the residence any student or resident whose conduct is unacceptable or contrary to the rules in effect. Such measures must be preceded by a consultation with the Principal of the Centre or, if not available, with the Director of Adult Education Services.

## **8) Delegation to School Principals and Principals of Adult Education**

The Council hereby delegates the following rights, powers and obligations to the School Principals and the Principal of Adult Education:

- to carry out the duties and functions of the Coordinator of Community Education Services or the Center Director in cases of vacancy or where he is absent or otherwise unable to personally carry out such duties and functions.

### **8.1 Personnel:**

For employees under their direct supervision:

- a) to hire substitute teachers;
- b) to evaluate teachers' performance to make recommendations concerning teachers' probation;
- c) to approve, leaves without salaries for valid reasons not exceeding a total of 5 working days per school year;
- d) to impose, after consultation with Human Resources, disciplinary measures and suspensions for periods not exceeding 5 working days;
- e) to approve requests for social travel.

### **8.2 Pedagogical matters:**

- to suspend from the school for a maximum of 5 school days any student whose conduct is unacceptable either in word or deed.

### **8.3 Financial matters:**

- to authorize expenses related to the Board's activities in their community for amounts not exceeding \$5,000.

## **9) Delegation to vice-Principals**

The Council hereby delegates the following rights, powers and obligations to vice-Principals:

- to carry out the duties and functions of the school Principal in case of vacancy or where he is absent or otherwise unable to personally carry out such duties and functions. However, the vice-Principal cannot evaluate the teachers' performance or make recommendation concerning teachers' probation, unless mandated by the Director of School Operations.

## **10) Management Committee**

Under the Direction of the Director General, an advisory committee on management is established

### **10.1 Mandate**

The mandate of the Management Committee is to act as a consultative and administrative body to submit its recommendations to the Director General namely in the following areas:

- a) review all new and amended ordinances, policies and directives prior to their adoption
- b) analysis of management problems and identification of solutions
- c) pertinent general information files
- d) organizational culture
- e) strategic planning
- f) discussions of the School Board priorities.

The Management Committee is a forum to facilitate the coordination of the different areas of activity and maintaining good communications and flow of information within the different departments of the Board.

All decisions will be made through consensus of the members present.

### **10.2 Composition**

The Management Committee shall consist of the following members:

- a) the Director-General as the Chair of the Committee;
- b) the assistant Director-General, the Secretary-General and the Associate Secretary General;
- c) all Directors of the departments and their Assistant Directors.

### ***Resource persons***

Resource persons may be invited by the Director General to participate to a management Committee meeting, namely when they are responsible for a particular area which is the subject of the discussion, to provide training, etc.

### **10.3 Operations / Functioning**

Meetings of the Management Committee will be convened by the Director General, normally once a month.

Any Committee member may submit for discussion any matter of general interest and / or which could lead to the eventual adoption or amendment of any ordinance, policy, directive or an organizational guide for the School Board.

Requests for items to be discussed should be made in advance to the Director General's office.



## 11) Other delegations

The Council hereby delegates additional powers and rights to the following persons:

- 11.1 The Associate Secretary-General is responsible of the application of the *Act respecting Access to Documents held by Public Bodies and the Protection of Personal Information* (R.S.Q., chapter A-2.1). In his absence, the Director-General is responsible of the application of the Act.
- 11.2 The Director of School Operations may suspend from the school for a maximum of 20 school days any student whose conduct is unacceptable either in word or deed.
- 11.3 The Director of Financial Resources has the following powers:
- a) to contract temporary loans for the Board pending the receipt of subsidies from the governments;
  - b) to determine the interest rate on accounts owing to the Board;
  - c) in the absence of the Director General, to approve contracts, leases and expenses insofar as the amount does not exceed \$25,000.
  - d) to approve social travel expenses for teachers of the regular sector;
  - e) to approve the issuance and sign manual cheques.
- 11.4 The Director of Human Resources has the following powers:
- a) to apply and administer the collective agreements and other working conditions of the Board for matters not otherwise delegated to another authority such as
    - i. granting leave of absences already provided in the collective agreements or other working conditions;
    - ii. establishing the selection criteria of the unionized personnel in regard to particular requirements;
    - iii. maintaining and managing the priority list for employees as required by the collective agreements
    - iv. accepting resignations of teachers for just cause
  - b) to conditionally hire personnel until they are officially hired by the Executive Committee;
  - c) to authorize employer's grievances;
  - d) to approve out of court settlements related to employee grievances or other labour related litigation insofar as the total value of the settlement does not exceed 10,000\$;
  - e) to approve the issuance and sign manual pay cheques.
- 11.5 The Director of Material Resources has the following powers:
- a) to authorize expenses and payment of invoices for capital projects, within the approved budget;
  - b) to approve payment of invoices for utilities expenses such as electricity, telephone, municipal taxes, fuel and land leases.
- 11.6 The Assistant Director of Material Resources has the following powers:
- a) to approve payment of invoices for regular operation expenses such as electricity, telephone and travels for amounts not exceeding \$10,000;
  - b) to approve the lease by the Board of immovable property from a third party for periods not exceeding 3 months.

- 11.7 The Manager of Transport has the following powers:
- to approve payment of invoices for regular operation expenses such as travels for amounts not exceeding \$10,000.
- 11.8 Administrative Assistants of regional services have the following powers:
- to authorize expenses related to their department for amounts not exceeding \$5,000.

## **12) Anti-Avoidance**

When this Ordinance establishes a delegation of financial powers and authorities limited to certain amounts, it is not permissible to reduce or split expenses, accounts or contracts in order to exercise these powers or authorities in a manner which could not otherwise have been exercised without exceeding the level of authorization granted under this ordinance.

## **13) Banking and signing authorities**

- 13.1 A bank or trust account may be opened for the Board's operation at any chartered bank or in any savings and credit union, subject to approval by resolution of the Council. Withdrawals and any other transactions involving the Board's bank or trust account and requiring a signature must be signed by at least 2 of the following officers: the President of the Board, the Director-General, the Assistant Director-General, the Secretary-General, the Associate Secretary-General, the Director of Human Resources, the Director of Financial Resources or in his absence the Assistant Director of Financial Resources.
- 13.2 A bank account may be opened for local school operations at any chartered bank or any saving and credit union, subject to approval by resolution of the Executive Committee. Withdrawals and any other transactions involving the local school operations and requiring a signature must be signed by:
- a) the Coordinator of Community Education Services and the School Principal; Should one of them be absent, the other signs with either the local School Commissioner or the President of the local Education Committee.
- Or**
- b) the Director of Financial Resources or the Assistant Director of Financial Resources.

## **14) Coming into effect**

This Ordinance shall automatically come into force 40 days after its adoption or at any earlier date indicated by the Ministre de l'Éducation, du Loisir et du Sport.