



This presentation is a collaboration between OECTA and the WCDSB.  
It is based upon Part XIII of the Education Act, PPM 144 and the Board's APC035, to which the slide above has links

## Principal Presence

- Whenever possible, the Board will attempt to have an administrator present on school property.
- A principal may delegate authority for discipline matters to a vice-principal or teacher in accordance with the Board's procedures.
- A delegation of authority to a teacher will only come into effect if there are no administrators present on school property.

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Discussion points:

- What foreseeable situations will result in a principal absence?
- Delegation may be for discipline, what is not appropriate to be delegated?

## Limit of Authority

- Those who are delegated authority for **discipline matters** must respect and implement their duties and decisions as required by the *Education Act*, Board policies and procedures and the *Human Rights Code* of Ontario.

Discussion items:

- Examine Part XIII of the Education Act to understand what discipline matters are being referred to
- Human Rights Code applies to education because it is a service
- Human Rights Code prohibits discrimination on the basis of disability, race and ethnicity

## Written Notice to Teacher

- Written notice identifying the authority being delegated to the teacher, the timeframe for the delegation of the authority and the resources available to the teacher must be provided in the delegation form.
- When the delegation of authority to a teacher is not permitted in writing, due to unforeseen circumstances, the principal will communicate with the teacher (in person or via phone) with a follow-up email. The written notice will follow at the earliest convenience of the principal upon his/her return to the school.

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Discussion points:

- Examine the delegation form, notice the sections that must be completed
- What types of circumstances may prevent a principal from providing written notice of delegation?

## Notice to All Staff

- When a teacher has been identified to assume duties for a particular timeframe, communication by internal electronic mail shall be provided to all staff members of the school, who are anticipated to be in attendance during the particular timeframe, identifying the name of the teacher designated authority and the timeframe for the administration's absence.

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Discussion points:

- The importance of communication so all staff know to whom to turn

## Delegated Responsibilities

- If at any time the teacher delegated authority is uncertain or uncomfortable about the duties that have been delegated and/or the possible application of the *Human Rights Code*, s/he should take immediate steps to contact their administrator. In emergency circumstances, where an administrator is not available, the teacher delegated authority shall contact the emergency administrator who has been identified as a resource.

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### Discussion points:

- Calling the principal in uncertain situations is paramount
- Always better to call and ask if you have any questions

## Delegated Responsibilities

- receiving Safe Schools Incident Reporting Forms (Part I) about suspension and expulsion infractions from Board employees and transportation providers and communicating this information to an administrator at the earliest opportunity (contact numbers provided on delegation form);
- conducting an initial investigation to determine the nature of an incident, and in particular whether or not the incident is one for which a suspension or expulsion might be imposed;

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Discussion points:

- Review process around the safe schools incident reporting form
- What is the scope and depth of an 'initial investigation'

## Delegated Responsibilities

- reporting incidents for which a suspension or expulsion might be imposed to an administrator at the earliest opportunity (contact numbers provided on delegation form) and then taking direction from the principal/vice-principal;

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Discussion points:

- Under which circumstances is the principal to be contacted

## Delegated Responsibilities

- providing information to a parent/guardian of a pupil about an incident causing the pupil harm, provided that the pupil is not an adult pupil and you are not of the opinion that reporting the information might put the pupil at risk of harm and not be in the pupil's best interest;
- informing the parent/guardian that, at the earliest opportunity, an administrator will contact the parent/guardian to provide further information about the activity causing harm and the steps that will be taken to support the victim and ensure the victim's safety;

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Discussion points:

- What may not be said to a parent
- How to develop an opinion that sharing information with a parent may place a student at risk
- What is 'earliest opportunity'

## Delegated Responsibilities

- implementing progressive discipline measures following the initial investigation of an incident that does not require consideration of a suspension or expulsion as a consequence;
- A teacher shall not be delegated authority to suspend a pupil;

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Discussion points:

- What measures of discipline are envisioned
- Scenarios of incidents and how they should be handled at your school

## Delegated Responsibilities

- contacting the police in an emergency or in the event of an incident requiring police involvement in accordance with the Police and School Response Protocol; In these situations the teacher shall immediately contact the principal, vice-principal or supervisory officer;
- In cases where the police have been contacted, a principal, vice-principal or supervisory officer will be available at the school;

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Discussion points:

- Which situations give rise to police calls
- Process for contacting principal or others, when delegation by paper was not possible

## Limits of Authority

- The teacher must exercise the authority delegated to them in accordance with the *Education Act*, Board policies and procedures, including the principles of equity set out in the Ontario's Equity and Inclusive Strategy and the Human *Rights Code of Ontario*, which has primacy over the *Education Act* and the Board policies and procedures.

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Discussion points:

- Implications of equity and inclusiveness on authority – meeting individual needs and promoting a sense of belonging

## Termination of Delegation

- The teacher's delegated authority with respect to these matters shall cease upon the return to the school of an administrator or the conclusion of any incident(s) for the school day .

Discussion points:

- Situations where delegation continues beyond school day
- Process for handling incidents that extend beyond school day

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