

Commission scolaire Western Québec Western Québec School Board

BY-LAW NUMBER 30

BY-LAW ESTABLISHING DELEGATIONS OF POWERS AND FUNCTIONS OF THE WESTERN QUÉBEC SCHOOL BOARD

1.0 PREAMBLE

The Council of Commissioners (the “Council”) is the governing body of the Western Québec School Board (the “Board”) and is vested with the functions and powers necessary to administer the affairs of the Board.

The Council maintains all powers and functions that are not delegated under this By-Law. As provided for by the Education Act, by this By-Law, Council delegates the powers and functions described in Appendix A.

2.0 GENERAL PROVISIONS

This by-law confers upon the delegates full responsibility for the powers and functions delegated to them and extend to any action required in the exercise thereof or resulting there from.

The delegates shall exercise the powers and perform the functions delegated to them subject to the budget and policies of the Board and the collective agreements in force.

Delegates are accountable for their decisions and must report back to the appropriate authorities. Information regarding all personnel changes must be sent to all commissioners.

Once delegated by the Council, functions and powers delegated by Council cannot be sub-delegated.

As provided for in the Education Act, the Assistant Director General may exercise the powers and functions delegated to the Director General if he/she is absent or unable to act.

Appendix A contained herein forms an integral part of this by-law.

3.0 EMERGENCY SITUATIONS

Council recognizes that in an unforeseen emergency situation, the Director General may take measures necessary to ensure the security of students, staff and the members of the public, and to protect the property and the rights of the Board. The Director General will report to Council on all decisions taken as a result of the application of this section.

4.0 COMING INTO FORCE

This By-Law replaces By-Laws 27 and comes into force on the day following its adoption by Council.

Amended June 27, 2018: Resolution C-17/18-204

Chairman

Secretary General

APPENDIX A

Delegations of Powers and Functions

LEGEND

Exec.	Executive Committee	D.C.S.	Director of Complementary Services
D.G.	Director General	D.H.R.	Director of Human Resources
D.E.	Director of Education	D.F.	Director of Finance
D.B.E.T.	Director of Buildings, Equipment, and Transportation	D.C.	Discipline Committee

FINANCIAL SERVICES, TAXATION and PROCUREMENT ¹

Functions and Powers	DELEGATIONS		
	Exec.	D.G.	Others
Purchases of Goods/Services equal to or above \$ 50 000 and below \$ 100 000	X		
Purchases of Goods/Services below \$ 50 000		X	
Purchases of Goods equal to or below \$ 25 000			Directors Assistant Directors of Services
Purchases of Services below \$10 000 from a natural person and below \$25 000 in all other cases			Directors Assistant Directors of Services
Purchases of Goods/Services equal to or below \$ 5 000			Principals, Vice principals and Coordinators
Tax write-offs (school taxes)	X		
Write-off of bad-debt provisions (accounts)			
✚ Equal to or over \$ 5 000	X		
✚ Below \$ 5 000			D.F.
Short Term Loans (credit notes)			D.F.
Name the secretary and members of any selection committee established to evaluate the quality of tenders		X	

BUILDINGS, EQUIPMENT, AND TRANSPORTATION SERVICES

Functions	DELEGATIONS		
	Exec.	D.G.	Others
Agreements related to Building Rentals			D.B.E T
Cafeteria Agreements			D.B.E T
Amendments to contracts that incur additional costs of up to 10% of the initial amount of contract awarded, where the total amended contract value is below the public tender threshold (\$100 000)			D.B.T.A.
Amendments to contracts that incur additional costs of up to 10% of the initial amount of contract awarded, where the total amended contract value is greater than or equal to the public tender threshold (\$100 000)			D.G.

LEGAL SERVICES

Functions	DELEGATIONS		
	Exec.	D.G.	Others
Initiate legal proceedings <ul style="list-style-type: none"> ✚ Equal to or above \$ 25 000 ✚ Below \$ 25 000 	X	X	
Settlement agreements <ul style="list-style-type: none"> ✚ Equal to or above \$ 10 000 ✚ Below \$ 10 000 	X	X	

EDUCATIONAL SERVICES

Functions	DELEGATIONS		
	Exec.	D.G.	Others
Conclude agreements with other educational or health services partners			D.E. / D.C.S.
Homeschooling			D.E.
Derogations – 4 years old			D.C.S.
Cross Boundary Transfer Requests		X	
Exemption of schooling to students with special needs			D.C.S.
Conduct research, studies, and surveys			D.E.
Conclude educational agreements with other jurisdictions		X	
Enrol a student in another school or expel him/her from W.Q.S.B. schools under the terms of section 242 of the Education Act.			D.C.

HUMAN RESOURCES

Functions	DELEGATIONS		
	Exec.	D.G.	Others
Hiring of all full and part time regular employees	X		
Hiring of all supernumerary, replacement, 10 month and special project personnel			D.H.R.
Dismissal – All categories of employment	X		
Non-reengagement of personnel (surplus)			D.H.R.
Termination of Employment due to unsuccessful probation completion			D.H.R.
Movement of personnel <ul style="list-style-type: none"> ✚ Unionized ✚ Management 		X	D.H.R.
Disciplinary and Administrative Measures– Unionized Pers.			D.H.R.
Disciplinary and Administrative Measures –Management		X	
Leaves of absence with or without pay <ul style="list-style-type: none"> ✚ 5 days or less ✚ 6-29 days ✚ 30 days to one year 	X		Supervisor D.H.R.
Promotion or appointments <ul style="list-style-type: none"> ✚ Unionized employees ✚ Management 		X	D.H.R.
Loans of service		X	
Deferred sabbaticals	X		

¹ The power to purchase goods and services equal to or above \$100 000 remains with the Council of Commissioners.