



## District Education Council – Superintendent Monitoring Report

**Policy Name and Number:** ASD-W-EL0 Global Executive Limitations

**Reports Per Year:** One

**Date of Report:** September 28, 2023

**Policy Statement:** The Superintendent shall not knowingly cause or knowingly allow any practice, activity, decision, or organizational circumstance that is unlawful, unethical, unsafe, disrespectful, imprudent, immoral, disreputable or in violation of District Education Council policy.

In cases where a direct standard is not established or articulated (i.e. unethical, immoral) the standard is reasonableness, not individual values.

**Report Filed By:** David McTimoney, Superintendent

**Report Supported By:** N/A

### Superintendent Interpretation:

- The policy states that the district/superintendent must have sufficient and quality regulations, practices, and internal controls to avoid unlawful, unethical, unsafe, disrespectful, imprudent, immoral, or disreputable behaviors by staff in performance of their duties. Further to this, it is incumbent upon the district/superintendent to act in accordance with legislation, regulations, policy, and collective agreements.
- If a violation comes to the attention of staff, the expectation is for the district/superintendent to take action to remediate the situation.
- In the absence of a clear and direct standard, a level of reasonableness needs to be demonstrated as actions are considered.

### Justification:

- The Education Acts {Section 48(1)} outlines the “Duties of the Superintendent”. These duties stand as core expectations for the superintendent.
- The District Education Council has a set of policies that govern the actions of the council and superintendent.

## **Compliance:**

- The superintendent meets regularly with the Senior Administration Team to review policy, current issues, and practices all in the best interest of quality, safe, and respectful organization.
- The superintendent interacts with the directors of human resources and finance and administration regularly to oversee the positive working environment, ensuring safety and ethical practices. Teams are in place to support and respond to concerns.
- The District Education Council accepted the superintendent reports under the category of “Executive Limitations” for the following DEC policies in 2022-23:
  - EL 0 – Global Executive Limitations (*September 2022*)
  - EL 1 – Emergency Superintendent Succession (*September 2022*)
  - EL 2 – Staff Treatment (*March 2023*)
  - EL 4 – Budgeting/Forecasting (*October 2022; February 2023; March 2023 & June 2023*)
  - EL 5 – Asset Protection (*April 2023*)
  - EL 6 – Effective Use of Schools (*February 2023*)
  - EL 8 – Communication to Council (*October 2022*)
- Superintendent reports, including those listed above, were presented to the District Education Council. Once questions were answered, all reports were accepted as reflected in the minutes from public DEC meetings. Please note: Previous reports can be found on the DEC Portal for all current DEC Members. For the public looking to review previous reports of 2022-23, they are found on our website. Previous reports (prior to 2022-23) can always be obtained by reaching out to the Office of the Superintendent at 506-444-4034.
- The DEC wrote a positive performance assessment regarding the superintendent in June 2023, indicating compliance with the superintendent monitoring process.

**Appendices:**

- *The Education Act* ([SNB 1997, c E-1.12 | Education Act | CanLII](#))
- DEC Minutes and Superintendent Monitoring Reports ([DEC Meeting Archives – Anglophone West School District \(nbed.ca\)](#))
- DEC Policy Monitoring Schedule 2022-23

***I report compliance with ASD-W-ELO – Global Executive Limitations***

*David McTimoney*