May 9, 2016

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File #: EDU/023/2016)

On April 19, 2016, the Department of Education and Early Childhood Development received your request for access to the following records/information:

“I am specifically requesting a copy of the legal document from the Lieutenant-Governor in Council that makes the order for the appointment of Trustees to the Newfoundland and Labrador English School District. I am also specifically requesting a copy of the legal document or Legislative Act that authorizes the Premier of Newfoundland and Labrador, a Minister or any other Government Official the legal authority to appoint Trustee(s) to the Newfoundland and Labrador English School Board(s).”

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Education and Early Childhood Development to provide access to the requested information.

In accordance with your request for a copy of the records, please be advised that:

- Section 52 of the School’s Act, 1997 grants the Lieutenant Governor in Council (LGC) the authority to create a school district.
- Section 57 (1) of the School’s Act, 1997 grants the LGC the authority to dissolve a board.
- Section 57 (5) of the School’s Act, 1997 references the creation of a successor board and the status of the successor board.
- The former Eastern, Nova Central, Western and Labrador school districts were dissolved by OC 2013-203 Newfoundland and Labrador Regulation 95/13 (Filed August 20, 2013): School Board Dissolution Order, 2013 [http://www.assembly.nl.ca/Legislation/sr/Regulations/rc130095.htm]
- Section 59 (1) of the Schools Act, 1997 grants the LGC the authority to appoint Trustees to the board when a new district is created.
- Trustees to the Newfoundland and Labrador English School District were appointed under OC2013-252 and OC2013-261. Orders in Council are publicly available at: http://www.exec-cic.gov.nl.ca/public/nic/search
- The powers of the board are stated in Section 76 of the Schools Act, 1997.

The School’s Act, 1997 can be found at the following link:
http://www.assembly.nl.ca/legislation/sr/statutes/s12-2.htm

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Please be advised that this letter will be published following a 72 hour period after it is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the letter posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact the undersigned by telephone at 709-729-1841 or by e-mail at brianevans@gov.nl.ca.

Sincerely,

[Signature]
Brian Evans
Director of Information Management & Special Projects
ATIPP Coordinator