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***Administrative Handbook for
Elementary and Secondary
Schools***

**ADMINISTRATIVE
HANDBOOK**

For

Elementary and Secondary Schools

**DEPARTMENT OF CATHOLIC SCHOOLS
ARCHDIOCESE OF SAN FRANCISCO**

**One Peter Yorke Way
San Francisco, CA 94109**

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Format of the Administrative Handbook

This Administrative Handbook has been developed according to a numerical coding system that is open and expandable. There are six sections, each assigned a general series number. The complete Handbook is available to Pastors and Principals on the Department of Schools Website www.sfcatholicschools.org

The pages of the Administration Handbook are dated on the left hand corner. Changes, corrections or additions can be made without interfering with the page order. If changes, updates, additions or revisions are required to the Handbook, these changes will be placed on the website and a notice will be sent to all Administrators of the change. The Principal is responsible to see that these changes are included into the Handbook and that the Administrative Handbook is kept updated at all times.

There is a detailed table of contents for each series at the beginning of each section. At the end of the six sections, are the appendices.

Procedures to implement polices as stated in the Administrative Handbook can be found in the Administrators' Reference Guide (ARG).

Foreword

We present this second revision of the Administrative Handbook, based on the previous document of March 1978. This revision cycle began in the mid 1990's under the direction and guidance of former Superintendent of Schools, Sister Glenn Anne McPhee, O.P. It is an attempt to assist and support the ever demanding and constantly changing responsibilities of the Catholic school administrator.

The purpose of this Handbook is to assist pastors, principals, and administrators to understand and carry out their responsibilities to our students, parents, and others touched by our schools. Our ministry is one of servant leadership. We are called to minister in charity, justice and faithful stewardship. The provisions and policies of the Handbook are useless unless they guide and support our efforts to administer with charity and justice.

For this reason, every policy is subject to regular review and revision, as required by the needs of our schools and the people they serve. The provisions of the Handbook are based on consultation and review by pastors, principals, board members, legal counsel and members of the school department.

In our attempt to update and improve this Handbook, it should be noted that the Policies of the Archdiocese of San Francisco, provides that "all programs of religious or general education under the jurisdiction of the pastors are governed by the policies and regulations of the Board of Education and the Superintendent of Catholic Schools as set down in the Administrative Handbook... and in interim communications. These policies have the same purpose and binding force as all other directives and enactments of the Ordinary." (#147.2, p. 45)

The Board of Education and the Department of Catholic Schools gratefully acknowledge the labors of the many people who contributed to this revision. Special acknowledgement is given to Ms. Lois Bauer who facilitated the word processing and reformatting, editing and updating of this final text. Additionally, many members of our Catholic school community assisted in the review process by acting as readers suggesting corrections, additions, or revisions to the Handbook.

As we strive to implement the policies stated in this Handbook, we welcome your suggestions for its continued improvement. We also join you in prayer as we endeavor to fulfill our ministry as Catholic educators.

Most Reverend William J. Levada, STD
Archbishop of San Francisco

Ms. Maureen Huntington
Superintendent of Catholic Schools

Date: _____

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1100 COMMUNICATION WITH THE PUBLIC

1110 PUBLIC RELATIONS AND COMMUNICATIONS

1111 GENERAL

Public relations embodies all communication between the school and the community and provides the basis for mutual understanding. The purpose of a public relations program is to keep the public informed regarding programs, policies, and conditions of the Catholic school community. The public includes Archdiocesan and pastoral administrators, the parish council and/or parish school board, the school staff, the parents, the students, former students, the parish, and the local civic community.

It is the responsibility of the school principal to plan and coordinate the public relations program at the local level. In the event of public media releases or inquiries, prior consultation with the Archdiocesan Communications Office should take place.

1112 SCHOOL SPONSORED MEDIA

A school atmosphere and program which integrate religious belief and practice with the normal development and education of children are the most effective media for the purpose and objectives of Catholic education. Other means of communication frequently used are the following: authorized parent organizations, weekly parish bulletins, community activities, public service projects, open house observances, promotional literature and videos, school reports and publications, press releases, Web sites, Internet communications, broadcast features and public service announcements.

The principal shall formulate and publicize local regulations and procedures regarding communication. All announcements, news releases, and promotional materials regarding a school shall be cleared by the principal or designated official to assure consistent policy and avoid duplication (See 1111).

- .1 **News releases.** In consultation with the Archdiocesan Communications Office, when appropriate, individual schools are encouraged to release to the Catholic press, to the local press, and to community affairs producers, stories and information that will keep the public informed of current school activities and achievements (See 1112.3, 1122).
- .2 **Brochures, catalogs, advertising.** Every school must include the required statement of its racially nondiscriminatory policy relating to students in all its advertising, brochures and catalogs regarding student admissions, programs, and scholarships. In addition, every school must include a reference to its racially nondiscriminatory policy in other advertising that it uses as a means of informing prospective students of its programs (See Appendix 1).
- .3 **Directory Information Regarding Students.** Data designated as directory information for elementary and secondary students shall be released only in response to legal mandates and for appropriate purposes approved by the school administrator. No information may be released to a private profit-making entity other than employers or prospective employers of students. The names and addresses of pupils enrolled in grade 12 or pupils who have terminated enrollment prior to graduation may be provided to a private school or college operating under the provisions of the California Administrative Code (See 5115 and Appendix 2).

1113 DEPARTMENT OF CATHOLIC SCHOOLS SPONSORED MEDIA OR OTHER MEDIA

The Department of Catholic Schools has the duty of establishing contact with all groups and individuals concerning the mission and functioning of schools. A variety of media will be used, as necessary, to foster articulation and communication and to support the educational endeavors of the Archdiocese.

1120 **RESPONSIBILITIES OF SCHOOL PERSONNEL**

1121 **SUPERINTENDENT**

The Superintendent shall coordinate the Department of Catholic Schools public relations activities. Any announcement of policy for Catholic education and news items that pertain to the schools of the Archdiocese shall be released by the proper Archdiocesan official.

1122 **PRINCIPAL**

In each school, the principal shall coordinate the public relations activities consonant with the provisions of this Section.

1200 PUBLIC ACTIVITIES INVOLVING STAFF, STUDENTS OR SCHOOL

1210 RELATIONS BETWEEN PUBLIC AND SCHOOL PERSONNEL

1211 GENERAL

Every member of the school staff has a responsibility in this matter since public relations are exercised to the greatest extent by day-to-day contact between the school personnel and the public.

1212 VISITOR REGULATIONS

All visitors shall be required to report or register in the school office upon their arrival at the school. Signs noting this requirement should be posted at school entrances.

The principal shall provide for appropriate hospitality for visitors and shall establish a local policy concerning visits to the school or classes that will enhance the effect of the educational program rather than hinder it.

Ordinarily, parents and other persons shall confer with teachers after school or at other appointed times so as not to interrupt class instruction.

1213 GUEST SPEAKERS

Advance permission of the principal is required before any outside speaker may be brought into the school to address any class or group of students. Principal may wish to contact the Superintendent for additional direction and consultation.

1214 COMPLAINTS

The normal channel for complaints concerning school personnel shall be from complainant, to employee, to principal. Every effort shall be made to give the complainant a hearing at the earliest possible stage.

The following procedures should be followed:

- a) Ordinarily, the complainant shall be directed to make the complaint to the employee concerned and to seek resolution or mutual understanding at that level.
- b) If the matter is not thus resolved or the complainant refuses to do the above and yet demands action on the part of the principal, the principal shall request a signed written statement of the complaint. This shall be a brief but specific summary of the nature of the complaint and the facts surrounding it.
- c) The individual employee involved shall be advised by the principal of the nature of the complaint and shall be given the opportunity for explanation, comment, and presentation of the facts as the employee perceives them. In parish schools the principal, in consultation with the pastor, will try to resolve the issue. This is to be submitted in writing to the complainant.
- d) The Superintendent will normally intervene only if the complaint cannot be satisfactorily resolved at the local level and only on receipt of a written referral.

On receipt of a written referral, the Superintendent will solicit from the complainant, the principal, the employee concerned, and where appropriate, the pastor or president, a written summary of the issue together with supporting documentation. After reviewing the documentation, and when necessary, conferring with the parties to the disputed action or policy, the Superintendent will only determine whether the local policy is in accord with applicable Archdiocesan policies and regulations and whether the policy is fairly and equitably applied.

1220 RELATIONS BETWEEN PUBLIC AND STUDENTS

1221 PUBLIC PERFORMANCES AND SERVICE ACTIVITIES

The primary educational aims of the school and the needs and best interests of the students must be the first consideration in these matters at all times (See 5145, 6141, 6143).

1222 CONTESTS

Contest participation in individual schools is at the discretion of the principal. Students should be encouraged to participate in contests that fulfill the following guidelines established by the Superintendent.

In judging the value of an activity or contest for a particular group of students, the principal should, in consultation with the Department of Catholic Schools as necessary, look for the following characteristics:

- a) The contest presents a genuine learning experience; it supplements but does not interfere with the regular school program.
- b) The activity makes it possible for individual students to develop contributions by their own efforts and does not invite dishonest collaboration.
- c) The contest does not place an undue burden on students, teachers, or the school, nor require frequent or lengthy absence of participants from the school.
- d) The organization sponsoring the contest enjoys respect in the community and does not subscribe to goals inconsistent with Catholic educational philosophy. The organization is engaged in a creditable enterprise, regardless of kind or amount of prizes offered. It does not use the contest or activity to advertise or market a company name, product or service.
- e) The subject is not commercial, controversial, or concerned with political propaganda and the like. It must emphasize high moral standards, good citizenship and intellectual competence.
- f) The contest is conducted in a professional manner indicated by clear directions, sufficient challenge, adequate supervision, and competent judging. The selection of writing entries is the total responsibility of the contest sponsor.
- g) The contest should be one from which no contestant is excluded because of race, color, national origin or gender.

1223 SOLICITATION OF FUNDS FROM STUDENTS

Pupils may not be solicited for donations except for a limited number of charitable organizations subject to the following conditions:

- a) The Superintendent of Schools has granted permission and approval for the collection of contributions.
- b) Every precaution shall be taken to ensure the voluntary nature of any authorized solicitation.
- c) Any authorized solicitation shall be scheduled and conducted in such a manner as to reduce to a minimum:
 - interruption of the regular school activities,
 - imposition on families,
 - conflicts with school/parish fund- raising.

1224 **FUND-RAISING ACTIVITIES**

Students may participate in and cooperate with fund-raising activities conducted by the school or parish, provided such activities are in accord with policies and regulations in this Handbook (See 5143).

1225 **ADVERTISING AND PROMOTION**

Schools may not distribute to students or parents advertisements and other promotional literature of a commercial nature (See 3360).

Names and addresses of students or graduates shall be released only in accord with the provisions of this Handbook. The names and addresses of parents shall not be released for purposes of commercial advertising and promotion under any circumstances (See 1112.3, 5115.2, Appendix 2).

Cultural activities (i.e., youth concerts, student opera, etc.) approved by the Department of Catholic Schools may be advertised in schools. Tickets may be sold to students provided that the activity and the arrangements for selling tickets have been approved by the principal, that the faculty is not expected to assume the burden of ticket sales and accounting, and that undue pressure to buy tickets is not expected.

1230 USE OF SCHOOL FACILITIES

1231 **GENERAL REGULATIONS**

Any use of parish grounds by outside organizations (Catholic or otherwise) must be conditioned on the signing of the applicable standard Archdiocesan User/Lease form (e.g., Occasional Use Form, Space In Building Form, and Entire Building Lease Form) available through the Archdiocesan Real Estate Office. These forms contain, *inter alia*, hold harmless and insurance provisions that will protect the school/parish/Archdiocese in the event of a claim. The Occasional Use Form can be signed by the pastor alone, so long as no amendments are made to the standard form. The Lease forms must be signed by the Archbishop or his duly authorized corporate legal delegates at the Chancery.

These forms are drafted so as to assure that not only an Archdiocesan institution's legal interests are adequately protected, but also to allow appropriate intervention in the event that any activity is proposed, or in fact occurs, which is in conflict with the teachings of the Catholic Church (See Appendix 3 B).

Motion picture or television production. The use of parish or school property for motion picture or television production must be arranged through the Archdiocesan Director of Communications who will take the following steps:

- a) Request a working script from the producers in advance.
- b) Make certain the film or television production contains nothing offensive to Church teachings and environment.
- c) Meet with the producers to clarify any questions concerning the script.
- d) Make certain the appropriate compensation is discussed for the selected Archdiocesan property, any entity which may be inconvenienced by the production and the technical advisors.
- e) Meet with the administrator of the property to make certain the proposed project is supported by him/her and that it will be beneficial to the Church.

After the above steps have been followed the Director of Communications will present the project proposal to the Archbishop for his approval. If the Archbishop approves of the proposal, the Director of Communications will take the following steps:

- a) Inform the appropriate administrators.
- b) Assign a technical advisor to work with the project.
- c) Request the production company meet with the Archdiocesan attorney to draw the contract.
- d) The administrator of the property and/or the Director of Communications will oversee the implementation of the agreement.

Requests for use of school facilities by parish and other groups are subject to the approval and permission of the pastor in the case of parish schools, and to the approval and permission of the principal or president in conjunction with the Superintendent, in the case of Archdiocesan schools (See 3514 and Appendix 3 B).

1300 RELATIONS WITH OTHER ORGANIZATIONS AND SCHOOL SYSTEMS

1310 RELATIONS WITH LOCAL, STATE AND FEDERAL CIVIL AUTHORITIES

1311 GENERAL

Cooperative relationships shall be maintained with governmental agencies for the welfare, health, and safety of all citizens including the students in our schools.

Officials who desire to enter the school or to perform some service shall be courteously requested to present identification and proof of official capacity unless personally known by the school officials (See 1212).

1312 LAW ENFORCEMENT OFFICIALS

Schools shall cooperate with local and state law enforcement departments, keeping in mind the legitimate interests of students and parents.

Schools are urged to invite the cooperation of the local law enforcement agencies in instructing school administrators, teachers and students about crime prevention, child abuse issues, drug traffic and abuse, bicycle and traffic safety, and similar pertinent topics (See 1213, Appendix 4).

.1 **Interrogation of students.** When it is necessary in the performance of duty for a peace officer to lawfully arrest a minor in attendance at school, (or interview minors in the case of a contemporaneous or imminent crime) the officer is empowered to do so. While the constitutional rights of students may not be infringed upon by the officer, school officials are not required to, nor should they, attempt to prevent such arrests.

In taking such action, police officers are required to give due consideration and recognition to the rights, responsibilities, and concerns of the school personnel. Consequently, all police officials shall be requested and expected to deal initially with the principal, president, pastor, or delegated school official.

In such matters, as well as in the case of general requests by peace officers to question a minor in attendance at school, with the exception of a report of suspected in home abuse or neglect, the following specific procedures shall be followed (See 1312.4, 1312.5).

- a) It is the responsibility of the administrator to ascertain the identity and the official capacity of the peace officer, the authority under which action is required, and in the case of the release of the pupil, the reason for such action (See 5161.1).
- b) The principal shall question the officer to ascertain whether the pupil is a suspect or a witness to a crime and whether the particular crime is contemporaneous or imminent.
- c) It is the responsibility of the principal to request that the peace officer delay interviewing or arresting (except in the case of a serious and contemporaneous crime or imminent crime) the student until the parents are present and then to notify and summon them.
- d) If the officer objects or refuses to wait until the parents arrive, the principal shall insist on the right to be present in loco parentis for the interview and/or arrest.

- e) If the officer insists on interviewing the student privately, the principal shall declare clearly and in the presence of a witness that the interview is being conducted over the administrator's stated objections to the circumstances.
- f) The principal shall notify the parents if the pupil is taken into custody and removed from the school premises (See 5161.1).
- g) The principal shall keep a record of the events and the sequence of procedures (a-g) followed. This shall include the name and identification of the officer to whom the parent should be referred.

In all cases, the administrator shall not hinder the interview or any taking of a pupil into custody. In these situations, every possible step should be taken to insure a minimum of embarrassment or loss of class time for the student.

The fact that a student is interrogated or arrested by a police officer does not necessarily constitute cause for suspension or expulsion.

- .2 **Subpoenas.** Upon receipt of a subpoena, promptly forward a copy to the Department of Catholic Schools. The Superintendent or his or her delegate from the Department will advise what steps need to be taken.
- .3 **School report of suspected abuse or neglect.** Section 11166 of the Penal Code requires any child care custodian (teacher, instructional aide, teacher aide, teacher assistant, extended care personnel, administrative officer, supervisor of child welfare and attendance, certified pupil personnel employers of any public or private school, administrators of a public or private day camp, youth center, youth recreation program or youth organization, licensed day care workers, clergy, employees of a child care institution and any administrator or employee of an organization whose duties require direct contact with and supervision of children) who has knowledge of or observes a child in his/her professional capacity or within the scope of his/her employment whom he/she knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible by telephone, and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident (See Appendix 4).

Suspected abuse or neglect includes:

- physical injury or injuries inflicted by other than accidental means by any person,
- sexual molestation,
- neglect occurring from deprivation of necessary food, care, clothing, shelter, or medical attention,
- infliction of physical or mental suffering.

Mandated reporters are immune from civil or criminal liability for reporting in good faith a known or suspected child abuse.

Failure to report might result in a misdemeanor charge and conviction punishable by fine or imprisonment. Any doubt about reporting a suspected situation should be resolved in favor of the child and reported immediately.

Staff personnel shall also inform the school administrator who shall in turn notify the Department of Catholic Schools. Necessary follow-up with the family is part of the county agency's responsibility (Chapter 640, Statutes of 1987 (AB 285) of the State of California and Appendix 4).

.4 **Investigation concerning in home abuse or neglect.** Penal Code Section 11174.3 authorizes a child protective worker to conduct an investigation on school grounds during school hours, without prior notification of parents, relative to alleged child abuse that occurred within the child's home. The child has the right to opt for either a private interview or to select a school staff member to be present during the interview. Also a peace officer or child protective worker occasionally may go to a school for the purpose of checking on suspected abuse or neglect reported by a third party not connected with the school. If the officer merely questions the school personnel or observes the pupil from a distance without directly questioning the student, the principal has no obligation to report the matter to the parents but should keep an account of the matter in the principal's personal information log.

.5 **Interviewing a victim at school when the matter pertains to child abuse within the child's home.**

Whenever a representative of a child protective agency deems it necessary, a suspected victim of child abuse may be interviewed during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The following procedure will be followed by the child protective agency worker, school representative and/or staff member (See Appendix 4).

- a) The child will be afforded the option of being interviewed in private or selecting any adult who is a member of the staff of the school, including any certificated or classified employee or volunteer aide, to be present at the interview. Be sure that you witness the offering of this option.
- b) A representative of the child protective agency will inform the child of that right prior to the interview. The purpose of the staff person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
- c) The staff member will not participate in the interview.
- d) The member of the staff will not discuss the facts or circumstances of the case with the child.
- e) The member of the staff is subject to confidentiality, a violation of which is punishable by up to six months in jail or a fine or by both.
- f) The representative of the school will inform a member of the staff so selected by a child of the requirements of this section prior to the interview.
- g) If the staff person selected agrees to be present, the interview will be held at a time during school hours when it does not involve an expense to the school.
- h) In most cases, the child protective agency worker will notify the parents of the meeting which was held with the child. If this is not made clear to the school representative, there should be a discussion between the child protective agency worker and the school representative too make a decision as to who will notify the parents.

1313 **FIRE DEPARTMENT**

Each school shall plan for fire drills and fire prevention in cooperation with the local fire department. Local fire department ordinances or regulations shall be observed (See 5164.5, 5165, 5165.1).

1314 **HEALTH DEPARTMENT**

While the health of the pupil is basically the responsibility of the parent, the county and state health departments have responsibility for general public welfare. Consequently, the principal shall cooperate with the representatives of the local and state health departments (See 4113.1, 4213.5, 4411, and ARG, Health Services).

1315 **EARTHQUAKE SAFETY AND EMERGENCY PREPAREDNESS**

Each school shall have an Emergency Operations Plan which is to be reviewed and updated annually. The plan is to include:

- procedures for handling students and staff during an emergency,
- procedures for informing parents of the plan,
- preparations of site facilities for safety: handling of emergency supplies of food, water, medical supplies; communication practices; drill and practice procedures; responsibilities for shut off of utilities.

All actions taken shall bear in mind the safety and well being of both students and staff members. In the event of a major disaster, school will not be dismissed and children will remain under the supervision of school authorities. Students are to be released only according to a predetermined plan and only to persons authorized by parents (See ARG, School Safety Plans for Disaster, Emergency, and Violence & Model Emergency Plan for Schools).

1316 **TRAFFIC SAFETY AND SCHOOL SAFETY PATROLS**

Assistance of the local police department should be sought in planning and evaluating school safety patrols and traffic arrangements for the area surrounding the school. If the police department supplies crossing guards at the times of school opening and dismissal, the school should consult regularly with the officers to insure proper student behavior and should be careful to notify the officers regarding changes in the school schedule (See 5164.3, 5164.4).

1320 RELATIONS WITH OTHER SCHOOL SYSTEMS AND AGENCIES

1321 **GENERAL**

Good public relations demand cordial professional relationships and cooperation with other private and parochial schools and with public school systems and their officials.

Schools shall promptly comply with all pertinent regulations and reasonable requests concerning student transfers, attendance, truancy, cumulative records, and any other matters concerning the educational progress and welfare of the students for which joint cooperation and concern is appropriate and necessary (See 5126, 5128, 5129.2).

1322 **STATE AND FEDERAL PROGRAMS**

Schools shall follow all procedures and directives of the Department of Catholic Schools regarding participation of students in federal and state financed programs (See 4410, 6333 and ARG, Federal Programs).

1323 **RESEARCH AND TESTING PROJECTS CONDUCTED BY OUTSIDE AGENCIES OR PERSONS**

The Department of Catholic Schools is responsible for initial approval or rejection of all requests by outside persons or agencies to conduct research projects or studies in the schools of the Archdiocese. Approval of a request by the Department of Catholic Schools will be communicated to the agency and to the principals of selected or proposed schools. The decision to participate is ordinarily left to the discretion of the principal and the classroom teacher.

1. **Types of studies considered for approval.** The following are types of studies and research proposals that will be considered for approval:
 - a) Reputable testing companies conducting national standardization programs;
 - b) Universities that are seeking or have received a research grant;
 - c) National Assessment of Educational Progress;
 - d) Individual graduate students whose research is in partial fulfillment of the requirements for an advanced degree.

If the request or first inquiry is directed to an individual school by any of the sources listed above, they should be referred to the Department Catholic Schools. However, graduate students should be referred to the Department of Catholic Schools only if they meet the following criteria.

.2 **Guidelines for study approval.**

- a) The study must have educational value or potential for immediate educational benefit to the participating schools. Research of a purely data gathering nature is ordinarily excluded from consideration.
- b) There is assurance that the study or project will be conducted in an efficient manner, minimizing loss of time or disruption of academic programs.
- c) The applicant must be qualified to undertake the study. In the case of a graduate student, a statement from the faculty advisor or endorsing committee must be provided.
- d) The study must meet the requirements for confidentiality of information, anonymity, and/or parental consent.
 - It must not invade the privacy of the students, their families or teachers.
 - Students and student files may not be used to gain access to their parents.
 - Direct access to cumulative records is not permitted without the authorization of parents. Pertinent information may be released according to directives listed in Appendix 2.
 - Access to basic personnel records may not be granted.

- Students and staff cannot be identified by name in any reports or on any data-gathering documents.
- e) Any required clerical or other personnel, as well as procedures, supplies, or costs incidental to the study, shall be provided by the person or agency conducting the study.
- f) Progress reports at regular intervals and a final report of the study will be submitted to the Department of Catholic Schools and participating schools.
- .3 **Procedures for approval of research studies.** A clear, concise written description of the study including its purpose, scope, procedures, personages involved, plans, use of results, evaluation instruments, and budget shall be submitted to the Department of Catholic Schools for review. A copy of all questions to be asked of students and teachers must also be included.

The proposal will be reviewed according to guidelines listed in 1323.2 and referred as indicated in 1323.

1330 RELATIONS WITH EDUCATIONAL ORGANIZATIONS

1331 GENERAL

Teachers and administrators are encouraged to maintain individual and institutional memberships in recognized professional associations, vis-a-vis those that are consistent with employment by a Roman Catholic institution, for several reasons including:

- a) In-service education benefits which come from participating in meetings, conferences, clinics and conventions;
- b) Access to the communication media of associations such as newsletters, periodicals, and advisory services.

1332 NATIONAL CATHOLIC EDUCATIONAL ASSOCIATION (NCEA)

Every school of the Archdiocese is expected to have an institutional membership in the National Catholic Educational Association.

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2111 THE ARCHBISHOP

The Archbishop has primary responsibility for the educational ministry of the Church. He has full authority to regulate all that pertains to religious instruction and matters pertaining to faith and morals in the Archdiocese.

Ultimate responsibility for all parish and Archdiocesan schools resides with the Archbishop. The Roman Catholic Welfare Corporation of San Francisco holds title to virtually all school property. The Archbishop is the president of the Board of Trustees of the Welfare Corporation.

2112 AGENCIES FOR THE ORDINARY

Among the chief instruments of discharging this pastoral duty are the Catholic school and the Catechetical Ministry, together with related programs of parent education and adult faith formation. To support these efforts and promote their quality the Archbishop has established the following:

- The Department of Catholic Schools including the Office of the Superintendent of Schools; (See 2121, 2130)
 - The Department of Parish Ministry;
 - The Archdiocesan Board of Education and (See 2112.2);
 - Office of Religious Education and Youth Ministry.
- .1 **Delegated Administration.** The Archbishop and the Board of Trustees of the Welfare Corporation delegate the day-to-day administration of Catholic schools to the following:
- a) The Superintendent of Schools and the Office of the Superintendent in the Department of Catholic Schools;
 - b) Pastor/administrator of parochial school;
 - c) President in Archdiocesan High School;
 - d) School principal.
- .2 **Archdiocesan Board of Education.** The Archdiocesan Board of Education is appointed by the Archbishop to provide participation by the general Catholic community with the Archbishop in formulating goals, policies and procedures for Catholic education in the Archdiocese. All recommendations of the Board shall be subject to the approval of the Archbishop and when so approved shall be binding.

(For a complete statement about the Board's responsibility as well as details concerning membership, officers and meetings, see the Board's Bylaws contained in Appendix 5.)

2113 POLICIES AND REGULATIONS - GENERAL

All parish and Archdiocesan school programs are governed by the policies and regulations of the Department of Catholic Schools as set down in the Administrative Handbook for Elementary and Secondary Schools, Archdiocese of San Francisco and in interim communications. These

regulations have the same purpose and binding force as all other directives and enactments of the Ordinary (Statutes 147) (See 2121).

Religious conducting private schools in the Archdiocese are subject to the canonical authority of the local Ordinary in regard to religious instruction and matters of faith and morals.

2120 DEPARTMENT OF CATHOLIC SCHOOLS

2121 THE DEPARTMENT OF CATHOLIC SCHOOLS

The Department of Catholic Schools is the office charged with the general administration and support of the formal Church-sponsored educational ministry in the Archdiocese.

- .1 **Policies and Regulations.** The policies, regulations, and guidelines contained in the Administrative Handbook pertain to schools.
- .2 **Policies and Regulations Pertaining to Parish Religious Education Programs.** Policies and regulations for parish-based religious education programs are now published separately in the Coordinator's Handbook distributed by the Office of Religious Education and Youth Ministry.

2130 OFFICE OF SUPERINTENDENT

2131 THE SUPERINTENDENT

The Superintendent of Schools is appointed by the Archbishop to be head of the Department of Catholic Schools and is the representative of the Archbishop in the administration of Catholic schools in the Archdiocese.

As executive head of the Department of Catholic Schools, the Superintendent is responsible for the organization, administration and supervision of the schools of the Archdiocese.

2132 RESPONSIBILITIES OF THE SUPERINTENDENT

The responsibilities of the Superintendent include, but are not limited to the following:

.1 Catholic Identity

- a) Assists the pastors to ensure that the Catholic identity of the school is prominent and integral to the school and school community;
- b) Ensures that the principal has the knowledge and skills needed to be the spiritual leader of the school community, which includes faculty, students and families;
- c) Ensures that the Archdiocesan curriculum for religious instruction is followed and that the Religion textbooks are approved;
- d) Ensures that the liturgical year of the Church is known and celebrated in the schools and provides resources for the liturgical seasons;
- e) Ensures that the moral teachings of the church are lived by the administrator and faculty through contact and performance appraisal;

- f) Assists the principals, faculty and boards to ensure that a partnership exists between the parish, school, and family.

.2 Administration

- a) Assists pastors and principals in providing quality educational programs and facilitates the implementation and assessment of standards;
- b) Plans and implements the objectives of the Department of Catholic Schools;
- c) Supervises the personnel selection/evaluation of the staff;
- d) Makes and enforces policies and regulations in harmony with the aims of Catholic education and in accordance with applicable State and Federal laws and regulations;
- e) Convenes consultative and ad hoc boards and committees.

.3 Business Matters

- a) Prepares and administers the Department of Catholic Schools' approved budget;
- b) Establishes policies and procedures for the financial administration of the schools;
- c) Gathers data and compiles reports, fiscal and general, which are requested and required by Chancery, church, or governmental agencies (See 2221, 3121, 3122, 3212, 3223).

.4 School Staff

- a) Oversees implementation of all personnel policies, contracts, and procedures approved by the Archbishop;
- b) Takes means to stimulate the professional growth of administrators and teachers in the Archdiocese (See 4112.2, 4115, 4115.1, 4115.2, 4115.3, 4119, 4124, 4126, 4127, 4128);
- c) Represents the Archbishop in matters involving teacher organizations.

.5 School Program and Services

- a) Evaluates needs of the schools of the Archdiocese and provides services and assistance regarding instructional programs, operations, materials, and services;
- b) Develops curriculum guidelines for use in the schools of the Archdiocese (See 6211.3, 6212.2, 6221, 6333).

.6 Community Relations

- a) Articulates a philosophy of Catholic education;
- b) Interprets the goals and purposes of Catholic education as well as policies and regulations, especially to parents and faculties;
- c) Promotes effective public relations in behalf of Catholic schools;

- d) Promotes cooperation with public and civil agencies (See 1113, 1121, 1214, 1222, 1223, 1231, 1323).

2133 **PROFESSIONAL STAFF**

Professional staff shall be hired or appointed as needed to support the work of education in the Archdiocese.

2134 **ADMINISTRATIVE PUBLICATIONS**

Publications of the Department of Catholic Schools include:

- Administrative Handbook for Elementary and Secondary Schools;
- Administrator's Reference Guide;
- Religion Coordinator's Handbook;
- Archdiocesan Curriculum Guidelines;
- Administrative Bulletins;
- Crisis Response Manual;
- Model Emergency Plan for Schools;
- Special Needs Resources for Teachers, Parents and Students;
- Extended Care Handbook; and
- Parish School Consultative Boards, Parish Consultative Boards of Education and Parent Teacher Group Statutes (See Appendices 6 and 7).
- Archdiocesan School Employee Handbook

These materials should be made known and available to all members of the faculty.

- .1 **Administrative Handbook.** The Administrative Handbook delineates all policies of the Department of Catholic Schools pertinent to elementary and secondary schools in the Archdiocese of San Francisco. Pastors, administrators, faculties and staff members are responsible for following these policies.
- .2 **Administrator's Reference Guide (ARG).** The Administrator's Reference Guide is a resource and information manual revised annually by the Department of Catholic Schools. It contains guidelines, procedures and regulations which change annually in specifics and necessary information and forms which must be periodically updated. It is a companion manual to the Administrative Handbook in which cross-references are indicated by the notation.
- .3 **Religion Coordinator's Handbook.** This handbook contains policies and program information relating to the total religious education program of the school. It also contains a job description for the Religion Coordinator.
- .4 **Archdiocesan Curriculum Guidelines.** The Department of Catholic Schools publishes general program goals, guidelines, subject guides and lists of basal texts for elementary (K-8) schools in a manual entitled Curriculum Guidelines. It is updated as needed (See 6131).
- .5 **Administrative Bulletins.** The Department of Catholic Schools issues bulletins monthly. These should be retained for the current school year and, where appropriate, retrieved by subject for future reference.
- .6 **Crisis Response Manual.** The Crisis Response Manual provides appropriate support, activities, and services to staff, students and families during an unpredictable event.

- .7 **Model Emergency Plan for Schools.** The manual provides a comprehensive guide to responding to emergency situations. It complies with the State of California's emergency procedures and is a basis for emergency response, education, and training.
- .8 **Special Needs Resources for Teachers, Parents and Students.** The binder is a comprehensive resource and informational manual for teachers and parents regarding the education of children with special needs. It assists schools to provide a learning environment that fosters growth and recognizes the individual needs of diverse learners.
- .9 **Extended Care Handbook.** This handbook provides guidelines and procedures for extended care programs in the elementary schools.
- .10 **Parish School Consultative Boards/Parish Consultative Boards of Education and Parent Teacher Group Statutes.** These guidelines provide the policies governing Parish School Consultative Boards/Parish Education Consultative Boards and Parent Teacher Groups. They are to be followed when setting up a new Parish/ School Consultative Board or when revising existing guidelines.
- .11 **School Employee Handbook.** At the request of the Archdiocese Council of Priests, and with the approval of the Archbishop, a uniform School Employee Handbook was developed that applies to all those employed by Archdiocesan owned elementary schools.

2200 LOCAL ADMINISTRATION

2210 THE PASTOR

2211 JURISDICTION - GENERAL

The school is a parochial ministry of the parish. The school is therefore the ultimate responsibility of the pastor or canonical administrator. He freely grants the rights and responsibilities of governing the school to the principal.

The pastor is the ex officio head of the school. As such, he is responsible, with the Parish School Consultative Board, for determining the policies of the school according to the needs of the parish but always in harmony with the regulations and guidelines of the Department of Catholic Schools, the Chancery, and the Statutes of the Archdiocese.

The role of the pastor in the successful mission of the parochial school (or the lead pastor in an interparochial school) is of vital importance. In union with the liturgical and sacramental life of the parish, the formation of faith and intellectual development illumined by Gospel message to children, youth, and adults, is central to the life of the parish.

2212 AREAS OF RESPONSIBILITY - GENERAL

As spiritual leader and chief administrative officer of the parish school, the pastor is ultimately responsible for the following:

- a) Assists with strategic and long-range planning for the school;
- b) Provides for the sacramental life within the school;
- c) Monitors the finances of the school and approves the school budget and financial reports;
- d) Oversees the religious instruction and faith formation of students in cooperation with the principal as educational leader and spiritual leader of the school. He assures that the students are taught religion according to the program approved by the Department of Catholic Schools (See 6121.3, 6122.2, 6122.3, 6122.6, 6123.2); and
- e) Provides for the spiritual and moral welfare of the faculty, students and families, including the implementation of the vision and norms of the Church's documents "Directory for Masses with Children" and Archdiocesan Council of Priests' document "Partners in Faith Parish School and Family."

These responsibilities are carried out with the assistance of the Parish School Consultative Board and in consultation with the school principal who aids in policy making.

- .1 **Parish School Consultative Boards.** It is recommended that the pastor establish a Parish School Consultative Board of Education. The constitution and guidelines of such groups are subject to the approval of the Department of Catholic Schools and its Legal Counsel.
- .2 **Guidelines.** Such Parish School Consultative Boards are governed by the policies stated in Policies Concerning: Parish School Consultative Boards and Parish Consultative Boards of Education, promulgated in August 1994 (See Appendix 6).

2213 SPECIFIC AREAS OF JURISDICTION

- .1 **Administration.** The pastor is an ex officio member of the Parish School Consultative Board, the head of the finance committee, and member of any parent-teacher group.

The pastor delegates the direction of the school program and the ordinary administration of the school to the principal. The pastor with the principal shall establish the terms of such delegation and the means of regular and formal communication on school matters.

The pastor:

- a) Employs, supervises, and evaluates the principal;
 - b) Ensures that the principal is a member of the pastoral team;
 - c) Schedules regular meetings with the principal, in addition to parish team meetings;
 - d) Acknowledges and supports the principal in his/her threefold function as educational leader of the school, spiritual leader of the school, and managerial leader of the school;
 - e) Ensures the principal fulfills the duties in Sections 2223 and 2224;
 - f) Acknowledges the principal as an ecclesial minister of the parish;
 - g) Establishes with the principal definite time expectations for the presence of the pastor and parochial vicars in the school; and
 - h) Establishes with the principal a plan to schedule the use of the school building(s) by appropriate groups in the parish.
- .2 **Financial Administration and Planning.** Policies and regulations pertaining to school business are included in Section 3000 of this handbook, in the Parish and School Financial Policy Manual, and in the Parish / School Financial Accounting and Reporting System. Specifics are included in the following divisions, subdivisions and items;
- financial (3123, 3124),
 - budget and accounts (3212, 3213, 3214),
 - income (3311, 3321, 3351, 3362.2, 3363, 3373, 5143),
 - expenditures (3411, 3412),
 - non-instructional operations (3510, 3520, 3530, 3540, 3550, 4211).

- .3 **School Staff.** The pastor is responsible for obtaining the services of qualified candidates who meet the criteria established by the Department of Catholic Schools to administer or staff the school. Generally, this responsibility is delegated to the principal. Assistance is provided by the Department of Catholic Schools' personnel office that recruits and screens applicants (See 4111, 4114, 4121, 4126, 4127).

The pastor and principal, in consultation with the Parish School Consultative Board, have the responsibility to establish any additional local criteria for the recruitment and selection of teachers. The pastor, in consultation with the Department of Catholic Schools, has the responsibility for termination or non-renewal of any teacher contract (See 4120).

The pastor supports the principle of subsidiarity in conflict resolution of school issues by referring individuals or groups back to the teacher or principal.

The pastor ensures, with the principal, that the faculty is competent to provide religious instruction.

.4 Students and their parents.

The pastor:

- a) Integrates parochial school families into the worship and service of the parish. Priests as well as administrators must dialogue forthrightly and candidly with parents about their understanding of the need of prayer and worship in their lives and in the lives of their children;
- b) Encourages parents of children in the school by thanking them for dedication and encouraging them to support this ministry;
- c) Assists in the adult faith formation of parents in the school, especially in sacramental preparation of their children; and
- d) Approves the general criteria and procedures to be used in the admission and expulsion of students consistent with Archdiocesan policy (See 5111, 5112, 5127, 5177). He has the right to be present at parent conferences concerning such matters (See 5176.1).

The pastor or his delegate should be available for the spiritual counseling of pupils. This counseling should be individual and confidential and, if possible, should take place in the school (See 6414).

.5 Program and Services. It is the pastor's responsibility to assist the Principal to establish and maintain the spiritual identity and religious dimension of the school. He should assure that the students are taught religion according to the program approved by the Department of Catholic Schools (See 6121.3, 6122.2, 6122.3, 6123.2, 6123.3). Teachers of religion are certified or recertified according to the approved program by the Department of Catholic Schools. The pastor is responsible to provide opportunities for the liturgical and spiritual growth of the school community.

2220 THE PRINCIPAL

2221 JURISDICTION

In parishes, the principal is the administrative officer of the school and is the spiritual, educational, managerial leader, subject to the ultimate canonical responsibility entrusted to the pastor. In Archdiocesan schools, the principal is responsible not only for the educational program, but also for the financial administration of all school funds (See 3112 and Parish and School Financial Policy Manual and Parish / School Financial Accounting and Reporting System).

2222 **APPOINTMENT/EMPLOYMENT**

The Department of Catholic Schools assists and supports the pastor in his responsibility to screen applicants for the position of principal; assists in the establishment of a local search committee; and identifies qualified applicants for principal. (See 4111 (all), 4112.2, 4114). Where a religious community contract is in effect, the principal is ordinarily assigned by the major superior, with the approval of the pastor and the Superintendent of Catholic Schools.

(Specifics concerning qualifications, contracts, and renewal/termination of employment are contained in Section 4000 (See 4113.2, 4115, 4115.2, 4115.3, 4121, 4126, 4127)).

In the event that a principalship must be filled on a temporary basis, the procedure shall be that the pastor appoints a temporary replacement with the advice and prior approval of the Superintendent. In such a case, approval will be based on a review of the nominee's personal and professional administrative qualifications, both academic and experiential.

In a school where there is a contract with a religious community, the pastor should consult the major superior to determine whether or not the community will provide a replacement.

2223 **GENERAL RESPONSIBILITIES OF THE SCHOOL PRINCIPAL**

The principal has as highest priority the building of a Christian community of faith in which the Christian message and experiences of community, worship, service and social concern are integrated. Additionally, a paramount responsibility is to promote and facilitate student learning of the highest quality.

The principal:

- a) Administers the total school program;
- b) Supervises and evaluates the teachers, the students, and the instructional program;
- c) Oversees the operation of the school plant and supervises all support staff members;
- d) Interacts with the parent, parish, and general public communities;
- e) Collaborates with and seeks counsel from the Department of Catholic Schools;
- f) Fulfills accreditation criteria articulated by Western Catholic Educational Association and Western Association of Schools and Colleges (WCEA/WASC).

2224 **SPECIFIC RESPONSIBILITIES**

The responsibilities of the principal include, but are not limited to the following:

.1 **Educational Leader**

- a) Leadership
 1. Develops a vision and school climate reflecting Catholic identity and applies that vision to the daily activities of the school;
 2. Promotes healthy staff morale and fosters leadership ability among the staff;
 3. Identifies needed change and uses research to guide action plans;
 4. Attends to personal and professional development.
- b) Curriculum and Instruction

1. Applies knowledge of religious content and methods of faith formation;
2. Provides for cultural and religious differences;
3. Uses a variety of educational and pedagogical skills and is aware of the developmental stages of the students;
4. Evaluates the general effectiveness of the school's learning program by utilizing effective procedures for student assessment;
5. Recognizes and accommodates the special learning needs of children within the regular classroom;
6. Supervises instruction effectively;
7. Integrates Gospel values and Christian ethics into the curriculum, policies and life of the school.

.2 Spiritual Leader

a) Faith Development

1. Nurtures the faith development of faculty and staff through opportunities for spiritual growth;
2. Ensures quality Catholic religious instruction of students;
3. Provides opportunities for the school community to celebrate our faith;
4. Supports and fosters active Christian service;
5. Communicates to parents opportunities for adult faith formation sponsored by the parish and the Archdiocese;
6. Ensures that regular gatherings of parents begin with prayer or reflection and include an opportunity for on-going faith formation;
7. Facilitates the moral development and maturity of children, youth, and adults.

b) Building Christian Community

1. Fosters communication among the pastor, parish, and school community;
2. Respects and facilitates the role of parents as primary educators;
3. Collaborates with staff to give witness to the Catholic identity of the school with religious signs, symbols and displays
4. Assists parents in understanding that the school is an essential ministry of the parish.

c) History and Philosophy

1. Demonstrates knowledge of the history and purpose of Catholic Schools in the United States;
2. Interprets the school philosophy, policies and regulations, and the religious and educational programs to the school community at large;
3. Utilizes church documents, Catholic educational guidelines, and Archdiocesan directives;
4. Develops and implements statements of philosophy and mission that reflect the unique Catholic character of the school in collaboration with the pastor, faculty, and school community.

.3 Managerial Leader

a) Personnel Management

1. Recruits, interviews, employs, and provides an orientation for school staff;
2. Assists the faculty in achieving the goals of Catholic education through staff development and professional leadership;
3. Applies skills of organizational management, delegation of responsibilities, effective communication, and collaborative group processes for decision making;
4. Maintains a continuing program of supervision and evaluation of instructional and non-instructional personnel;
5. Manages personnel and student files;
6. Manages conflicts effectively.

b) Institutional Management

1. Initiates appropriate consultation with the Archdiocesan office and submits reports required by the Department of Catholic Schools promptly and accurately;
2. Complies with appropriate canonical, federal, state, and local laws in harmony with Archdiocesan policies and regulations, especially those dealing with government-funded programs and those pertaining to health, safety, and emergency procedures for staff and students (See 3510, 3530, 5150, 5160, 6217, 6224, 6226 & Model Emergency Plan for Schools);
3. Utilizes Catholic School governance structures and works effectively with the school board;
4. Uses current technologies;
5. Provides for an orderly school environment and promotes student self-discipline.

c) Finance and Development

1. Plans and manages the school's financial resources and develops and monitors the annual budget (See Parish and School Financial Policy Manual);
2. Provides adequate instructional equipment, textbooks, resources, and services to implement the school program within budgeting limits and approved guidelines (See 6300, 6400);
3. Utilizes strategies of long-range planning, effective public relations, and a school marketing program for the success of the school;
4. Seeks resources and support beyond the parish and school communities.

2225 FACTORS SUPPORTING FUNCTION

Some factors and policies that will assist the principal to fulfill adequately and effectively the responsibilities of that office are detailed in the following:

- .1 **Full-time Service.** All elementary schools with six or more full-time teachers shall have a full-time principal.

Except in short-term emergencies, principals shall not assume full or half-day responsibility for a class. In the event this seems a necessity, consultation with the Superintendent is required.

The choice to teach one period a day or an occasional unit of instruction is left to the discretion of the principal.

- .2 **Delegation.** It is expected that the principal will delegate as many administrative and clerical functions as possible in order to have more time to develop the instructional

program and to supervise and evaluate classroom instruction. To this end, the principal should appoint/hire assistant administrator(s) and non-teaching personnel according to local need and resources (See 2230, 4211, 4213.3).

- .3 **Approved Absence.** Principals may not be absent from school premises during any school day while school is in session, except for reasonable cause. In setting local policies, the pastor and/or board cannot exclude attendance of the principal at educational meetings and conferences sponsored by the Department of Catholic Schools.

Within reasonable limits, attendance at workshops and conventions of professional organizations that are designed to assist principals in their duties is approved and encouraged by the Department of Catholic Schools.

The principal shall give prior notice to the pastor concerning all-day absence(s) for such in-service (See 4171).

- .4 **Professional Development and Assessment.** The Department of Catholic Schools is responsible for the development of procedures, standards, and processes to assess the performance of principals and to assist them to improve their professional competence.

Principals will comply with the procedures and timeline of this annual process.

2226 **ADMINISTRATIVE PUBLICATIONS**

Each principal has the responsibility to formulate local regulations that are in accordance with Archdiocesan policies and the obligation to adequately inform parents concerning certain Archdiocesan and local policies and regulations (See 1112). All principals are required to publish a Parent-Student Handbook that is updated regularly. Topics that should be included in the Handbook can be found in the Appendices 8 and 9.

Principals are likewise required to publish a Faculty Handbook that is subject to, and must be consistent with, Archdiocesan policies (See Appendices 8 and 9).

Principals are strongly encouraged to communicate regularly by means of weekly or monthly principal's newsletter.

2230 **OTHER ADMINISTRATIVE PERSONNEL**

2231 **ASSISTANT PRINCIPAL**

An assistant principal shall be appointed in each school. The amount of time designated for administrative duties of the assistant principal shall be determined by the size of the faculty.

- .1 **Administrative Responsibility.** The administrative responsibilities of the assistant principals are: to perform administrative tasks delegated by the principal and to exercise the authority of the principal in the principal's absence.
- .2 **Qualifications.** The assistant principal shall have the necessary competence and should possess the qualities necessary to relate effectively with the principal and staff.

2232 **OTHER ADMINISTRATIVE OFFICERS**

In secondary schools, it may become necessary to appoint other administrative officers such as deans, heads of departments, etc., to assist in the administration of one or other aspect of the school program. The duties of these officers shall be specifically stated for the benefit of the officers themselves, the other members of the faculty, and the students. It is expected that heads of departments will supervise the instruction in that department.

2233 **RELIGIOUS COMMUNITY SUPERVISORY PERSONNEL**

Supervisory personnel appointed by the religious community to visit schools staffed by the community shall observe the policies and regulations of the Department of Catholic Schools. Open communication by such supervisory personnel and the Superintendent is to be established and maintained.

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3111 PARISH SCHOOLS

Ordinarily, the operation and maintenance of the parish school is the financial obligation of the parish. (See Parish and School Financial Policy Manual, Section A)

The pastor by virtue of his office is the chief administrative officer. He has responsibility for the financial administration of all funds and property related to the parish school. In this capacity among his responsibilities are the obligations to:

- approve the school budget; (See 3210)
- provide for the payment of salaries of the regular staff and substitutes;
- furnish the school plant;
- provide for the operation and maintenance of the school plant in conformity with Archdiocesan policy and guidelines;
- provide adequate equipment and instructional materials for the school program;
- supervise the implementation of Archdiocesan procedures and conform with Archdiocesan policy and guidelines for the collection, disbursement, and accounting of school funds;
- be the primary signer for the school accounts;
- maintain, according to Archdiocesan policy, a set of accounts for the school and make such reports as shall be required;
- establish, together with the principal and such advisory groups as may be available, according to Archdiocesan guidelines: the level of parish subsidy, and the tuition rate and policy;
- secure public liability and other insurance for the school buildings according to the regulations of the Archdiocese;
- observe Archdiocesan guidelines regarding employee benefits and observe legal requirements related to employee compensation.

To the extent he deems appropriate, the pastor may delegate school financial authority to the principal or the associate pastor. The delegated person shall keep the pastor fully informed on the current and future financial condition of the parish school and its related activities. At a minimum, reports shall include monthly reports and periodic financial statements on activities not included in the budget. (See 1223, 1224, 6143 and Parish and School Financial Policy Manual, Section C: E & F)

- .1 **Responsibilities of parish school principals.** In accordance with Archdiocesan policy and written procedures approved by the pastor, principals assume the responsibilities for fiscal matters that shall include but not be limited to the following:
 - a) Preparation of a budget for the operation of the school; (See 3210)
 - b) Collection of tuition and other funds associated with the school program;
 - c) Authorization of expenditures of funds within the approved budget and only to the extent that funds are available.
- .2 **Request for Chancery assistance.** Any parish seeking assistance from the Chancery Office for direct or indirect support of parish school operations must present, as part of its request, financial reports and budgets for relevant years in strict accord with the regulations of this Handbook and applicable Archdiocesan requirements.

3112 ARCHDIOCESAN SCHOOLS

The operation and maintenance of an Archdiocesan school is the financial obligation of the Archdiocese.

The financial administration of an Archdiocesan school must conform to the policies and procedures of the Archdiocese. These policies and procedures are to be effected through the annual reports submitted and approved by the Superintendent.

The principal of an Archdiocesan school is the chief administrative officer of that school. As such, the principal is responsible for the financial administration of all funds of the school and is required to:

- prepare budgets for the Superintendent; See (3210)
- direct the maintenance and operation of the school plant in conformity with the policy and guidelines of the Archdiocese;
- supervise the implementation of procedures conforming with Archdiocesan policy and guidelines for the collection, disbursement, and accounting of school funds;
- observe Archdiocesan guidelines regarding employee benefits and the observe legal requirements related to employee compensation;
- prepare and act upon monthly financial reports.

3120 FINANCIAL POLICIES

3121 **GENERAL** (See Parish and School Financial Policy Manual, Section E)

3122 **BANKING** (See Parish and School Financial Policy Manual, Section C: A)

3123 **INTERNAL CONTROL** (See Parish and School Financial Policy Manual, Section C: B-D)

3124 AGREEMENTS

The chief administrator of each school is an agent of The Roman Catholic Welfare Corporation of San Francisco for coordinating certain agreements, subject to stated limitations.

- General contract signing (See Parish and School Financial Policy Manual, Section H: A, Appendix 3 A and 4115).
- Lease/purchase of capital assets (See Parish and School Financial Policy Manual, Section H: C and Appendix 3 A).
- Construction and renovation (See Parish and School Financial Policy Manual, Section J and Appendix 3 A).
- Use of facilities (See Parish and School Financial Policy Manual, Section K and Appendix 3 B).
- Independent contractors (See Appendix 3 C).

3125 SALES TAX

Whenever the school sells books, supplies, uniforms or any other tangible personal property pertaining to its educational purposes, it is necessary for the school to obtain a seller's permit from the nearest local office of the State Board of Equalization. Before a school applies for a seller's permit, the Archdiocesan Fiscal Officer must be consulted.

Accurate records of taxable sales must be maintained and are subject to audit by the State. Reports are to be made and sales taxes on school sales income remitted to the State in accord with regulations of the Board of Equalization.

No general statutory provision exempts sales to or by not-for-profit organizations. However, there is a series of narrow statutory exemptions that may be available in particular situations, as set forth below:

- .1 **Church Meals and Food Products.** Gross receipts from the sale of meals and food products furnished by a church at a gathering conducted under its auspices (e.g., a parish fund-raiser to benefit its school), if the purpose in serving the food products is to obtain revenue for the activities (e.g., parish school subsidy) of the church are exempt from sales tax.
- .2 **Occasional Sales.** "Occasional Sales" are exempt from sales tax. The general rule is that a person or organization who sells property not held or used by a seller in the course of activities for which he or she is required to hold a seller's permit can make two such sales in a twelve-month period before being required to hold a seller's permit. Under these rules, an occasional "garage sale" will not constitute the level of activity that requires the holding of a seller's permit.
- .3 **Taxable and nontaxable food items.** Schools do not need a permit to sell meals or food products for human consumption to the students of the schools when operating a cafeteria or vending stand at the school, nor do they otherwise need a permit to sell food products for human consumption except under the following conditions:
 - a) When the food products are served as meals or hot prepared food products (other than to students as referenced above) on or off the premises of the school.
 - b) When the school owns vending machines, part of the gross receipts are subject to tax. The amount is determined by current state sales and use tax regulations.
 - c) When schools or student organizations sell meals or food products to students or to both students and non-students within a place of entrance that is subject to an admission charge, such as a place where school athletic events are held, the sales to both groups are taxable.
- .4 **Exemptions for nonprofit parent-teacher organizations.** Nonprofit parent-teacher associations and equivalent organizations are consumers of tangible personal property that they sell, provided the profits are used exclusively in furtherance of the purposes of the organization. Consequently, the measure of sales tax on tangible personal property that the organization sells is reduced from the sales price to the acquisition cost. What this means is that if the Parent Teacher Group (PTG) pays sales tax at the time it purchases the items to be resold, it does not need to obtain a seller's permit or charge sales tax when it resells the items.

For further information, contact the Board of Equalization Office.

3200 BUDGET AND ACCOUNTS

3210 BUDGET

3211 **GENERAL** (See Parish and School Financial Policy Manual, Section A: A, Section B: C; and Section C: B1, 5)

3212 **BUDGET PREPARATION**

The chief administrative officer of each school shall establish a process and calendar for budget preparation. Archdiocesan schools are required to meet the calendar distributed by the Archdiocesan Finance Department.

In parish schools, budget planning shall be a cooperative effort of the pastor, the principal and the local school board since it is the financial expression of the educational plan.

3213 **BUDGET APPROVAL**

Pastors approve budgets for parish schools. The budgets of Archdiocesan schools require review and recommendation by the school's finance committee and the Superintendent and the Archdiocesan Director of Finance with final approval by the Archbishop.

3214 **BUDGET AMENDMENT**

Once approved, budgets become controlling documents. Any revision within the total of the originally approved budget requires the authorization of the chief administrative official of the school. Any revision increasing the total over the originally approved budget requires the authorization of all parties involved in the original approval.

3220 ACCOUNTS

3221 **CHART OF ACCOUNTS**

Accounts for all Archdiocesan and parish schools shall be maintained according to the chart of accounts published by the Archdiocese. (See Parish/School Financial Accounting and Reporting System)

3222 **FINANCIAL REPORTS** (See Parish and School Financial Policy Manual, Section C: F)

3223 **RETENTION OF RECORDS**

Parish and Archdiocesan schools are required to preserve records in a safe place (fire resistant vault if possible).

Record Retention Policy for Accounting

- | | |
|--------------------------------------|-------------|
| • General Ledgers/Accounting Ledgers | Permanently |
| • Annual Financial Report | Permanently |
| • Tuition and fee ledgers | 10 years |
| • Check registers | 10 years |
| • Cash receipts ledgers | 10 years |
| • Canceled checks | 7 years |
| • Bank Statements | 7 years |

- Invoices 7 years
- Cash receipt backup, deposit slips 7 years
- Bank reconciliations 6 years
- Purchase orders 3 years
- Monthly financial reports 3 years

Record Retention Policy for Payroll

- Payroll tax returns Permanently
- Form W-2 / 1099-M / 1099-R / W-2P Permanently
- Payroll journals 10 years
- Payroll plus employee masters 8 years
- Payroll canceled checks 7 years
- Bank Statements 7 years
- Bank reconciliations 6 years
- Timecards 5 years
- Payroll hourly input sheets 4 years
- Employee biographical sheets 4 years after employee termination
- Payroll reports 4 years

The Department of Catholic Schools will be responsible for the preservation of the records it originates.

3224 **INVENTORIES**

With the exception of consumable supplies such as paper, crayons, etc., a listing of all supplies and equipment by quantity, acquisition date, serial number, and value shall be maintained and updated at least annually. This shall be done (a) to maintain a record of assets and (b) to provide documentation in the event of an insurance claim.

One copy of this record should be kept in the principal's office and one in the pastor's office.

3225 **MONIES IN SCHOOL BUILDINGS** (See Parish and School Financial Policy Manual, Section C: B, C, & D)

3300 INCOME

3310 INCOME - GENERAL

3311 GUIDELINES

Ordinarily it is the responsibility of each parish to generate the income necessary to operate and maintain the parish school. The pastor has final responsibility in this matter subject to the Statutes of the Archdiocese, and the policies and regulations of this Handbook and the Parish and School Financial Policy Manual.

In the case of Archdiocesan schools, this responsibility rests with the Archdiocese. (See 3112)

The ordinary sources of school income are tuition, fees, and fundraising. The major supplementary sources of income are parish subsidy and earnings of any endowment fund(s) that have been established to support the school program.

3320 TUITION

3321 GENERAL GUIDELINES

Each parish and Archdiocesan school shall establish a basic tuition rate per pupil, realistically reflecting the actual cost of instruction and the economic characteristics of the school community and in accordance with the following guidelines:

- a) Each parish shall prepare a tuition agreement for signature by every parent/guardian with children in the school. At a minimum the agreement should state the tuition amount, the payment schedule, the penalty for failure to pay on time, procedure for handling delinquent accounts, a statement that families with delinquent accounts will not be able to re-register for the following school year without the permission of the pastor, or his delegate and a provision that says the parent(s)/guardian(s) understand and agree to the terms set forth in the Agreement and the school catalogue, Parent Handbook or other official school publications. (See Appendix 10: Guidance Re School-Parent Tuition Agreement)
- b) Basic tuition plus standard fees should be set to reflect the actual cost per pupil of operating the school. The total of tuition and standard per-pupil fee shall not exceed 100% of the actual cost per-pupil.
- c) The basic tuition rate should be charged for the first child of each family.
- d) A parish that operates a school may set discounted rates for additional children from Catholic families active within a parish.
- e) The discount rate charged should be at least 50% of the per pupil cost.

The chief administrative officer has final responsibility in this matter. However, this decision shall be made only after appropriate consultation with the principal, the school board, and the parish Finance Council.

3322 **DELINQUENT TUITION**

Subject to applicable laws and Archdiocesan policy, local boards and administrators are to exercise full discretion in determining criteria by which inability or unwillingness to pay tuition and fees is judged, but any action in individual cases shall be taken only after the school complies with the following guidelines:

- .1 **Policy requirements.** The school shall have a consistent, stated policy detailing how financial delinquency will be handled, and this policy will be included in the tuition agreement form used by the school. At a minimum, the stated school policy shall provide for warnings with appropriate time periods and appropriate collection techniques. Regarding the latter, schools may prudently use collection agencies.
- .2 **Policy dissemination.** The school shall make this written policy known to all its parents and bring delinquency to the attention of parents well before decisive action is to be taken.
- .3 **Policy restrictions.** The school shall establish its own method of reviewing individual cases and accommodating families with legitimate economic hardship. This process should include at least the pastor and the principal.
 - a) Parents have an absolute right of access to any and all pupil records related to their children. Consequently, in no case shall the withholding of transcripts, report cards or other records of student's work be used for the enforcement of collection.
 - b) No child is to be expelled from school during the course of a quarter because of parental inability or unwillingness to pay tuition or fees. (See 5127.3)

3323 **TUITION REDUCTION**

Parish and Archdiocesan schools are encouraged either to offer a reasonable family discount for the second child and the third or more children enrolled from the same family, and/or to establish a scholarship fund to be awarded on the basis of need. (See 3343)

In the case of individual families, any reduction from the published tuition schedule shall be granted only according to established and written policy and procedures. Documentary evidence shall be maintained to establish that the policy is followed without discrimination.

The tuition reduction policy, especially the family rate, should be closely examined annually to ensure that single-child families are not bearing an inequitable share of the financial burden.

3324 **TUITION POLICY FOR NON-PARISHIONERS AND NON-CATHOLICS**

Parish schools may offer a discount for the second and third child of active Catholic parishioners of other parishes who are confirmed as active parishioners by the pastor and when the other parish makes a contribution to the support of its parishioner children in the receiving school.

Non-Catholic families may be charged up to 100% of actual per pupil cost for instruction in the school for each child, except where such a policy would exclude many families in the community served by the parish.

3330 NORMAL FEES

3331(E) GENERAL

Annual per pupil fees may be charged for specific services only in accordance with this Handbook.

Each fee is restricted to specific expenditure accounts; the reference numbers are those found in the Chart of Accounts. (See Parish/School Financial Accounting & Reporting System)

Fees must be charged for student accident insurance, for administrative central services, curriculum in-services, and special services, for Catholic Telemedia Network (CTN) service for participating schools, for mandatory testing program and school-selected testing options. The full amount is to be forwarded to the Department of Catholic Schools as directed in annual memos.

Additional fees may be charged for textbooks (3332), instructional supplies, and for administrative expenses related to registration and re-registration of students. However, pastors and local school boards have the option of meeting these costs either from a per pupil fee or from other revenue sources such as the general tuition rate.

3332(E) TEXTBOOKS, INSTRUCTIONAL MATERIALS AND SUPPLIES

Each school should determine its need for books and supplies after due consideration of any balance in special textbook accounts. Consideration should be given for the following:

- Religion and family life textbooks;
- General curriculum textbooks;
- Teacher's manuals, learning kits and other basic instructional materials;
- Consumable materials, duplicating materials, pupil supplies;
- Books for libraries or resource centers;
- Media materials and supplies;
- Computer software for student use.

Monies collected for books and supplies must be used for the purposes listed in this subdivision. Under no circumstances shall they be transferred to another account classification.

3333 SPECIAL FEES

Fees for the activities and events of the local school or parish programs, e.g., graduation, science laboratory fees, technology fees, emergency supplies, fund raising fees, sacramental preparation, etc., shall be announced annually. These fees should be held to a minimum and in any case shall not exceed the per pupil cost of the activity or service. A complete statement of tuition and all fees should be provided to parents at time of initial contract.

3334(E) OTHER CHARGES

Apart from tuition and annual per pupil fees as established by the Department of Catholic Schools, no other charges or financial requirements may be made as a condition of admission, attendance, or reception of normal school services without the approval of the Superintendent of Schools. However, the school's Parent Teacher Group (PTG) per family dues may be collected annually at the same time as the student fees.

Also, a school can stipulate that failure to purchase specified scrip amounts will result in a reasonable fee assessment and/or placement in a higher tuition bracket the following semester.

Similarly, a school can stipulate that failure to complete required service hours will result in a higher tuition rate the following semester.

In accord with local circumstances, pastors may prudently solicit pledges to parish funds or drives, but in no case should the plea be made in such a way as to discourage attendance or to deny admission or re-admission to any pupil. It is recommended that school parents be made fully aware of the financial condition of the school and the extent of subsidy from the general funds of the parish.

3335 AUXILIARY PROGRAMS

In the case of auxiliary programs, e.g., extended care programs, bus service, cafeteria service, etc., ordinarily the charges shall not exceed the levels necessary to operate and maintain a self-supporting service.

Besides conforming to all applicable laws for school bus operation, anyone who charges for ridership must file with the Public Utilities Commission (PUC) to operate a passenger stage.

3340 RESTRICTED FUNDS

3341 GENERAL

The fact and concept of restriction of funds is absolute, whether that restriction is specified or general. In rare and unusual cases, relief from an unrealistic restriction may be obtained through the office of the Archdiocesan attorney. (See Parish and School Financial Policy Manual, Section E: C and Section F)

3342 PARENT GROUP AND BOOSTER CLUB FUNDS

All funds raised by local Parent Teacher Groups shall be used only for the educational work of the school and for the operating expenses of the groups. Club funds shall be used according to the organizational bylaws approved by the chief administrator of the school in accordance with the Parish and School Financial Policy Manual. (See Sections B: C5; C: 4, F 5, and J; E: B 6 and Appendix 6)

3343 TUITION ASSISTANCE/SCHOLARSHIP FUND/ENDOWMENTS

Each school shall establish a scholarship fund. Each school should have published criteria and procedures for obtaining these funds and should apply them consistently and equitably to all qualified recipients (See Parish and School Financial Policy Manual, Section F, Endowments).

While the size of such a scholarship fund and its disbursements will vary from school to school, the funds shall be distributed on the basis of need only and shall be posted to the tuition accounts of grantees. (See 3323)

3344 STUDENT ACTIVITY FUND

These funds shall be used for such purposes as are determined by the bylaws and the regular proceedings of the student organization.

3350 PARISH SUBSIDY

3351 GENERAL GUIDELINES (See Parish and School Financial Policy Manual, Section C: E4 and the Parish/School Financial Accounting and Reporting System)

According to the American Bishops' pastoral letter of 1986, it is the obligation of the entire Catholic community to sustain its Catholic schools; the obligation is not just on the families who have children enrolled in the programs. The entire Catholic community benefits from the school's existence.

It is the pastor's responsibility to determine the amount of parish subsidy to be given to the school. This amount shall be determined prior to the beginning of the fiscal year.

A parish that operates a school should be responsible for:

- tuition discounts to children of parishioners as determined locally;
- debt service of school and school-related facilities;
- costs of major maintenance and repairs (ordinary day-to-day maintenance and repair are to be reflected in the school's ordinary operating budget); and
- capital outlay.

Ordinarily, the subsidy is conveyed to the school only by actual cash transfer. Proper accounting requires that each parish entity pay only its own expenses. Consequently, when a subsidy is necessary, it should be paid to the school and the school should then pay its own bills. (See 3411.2)

3360 FUNDRAISING

3361 GENERAL

Schools traditionally help defray expenses and supplement basic educational programs by fundraising in the school community, parish community, and general community.

- .1 **Common Forms of Fundraising.** These activities are generally festivals and carnivals, auctions, scrip, entertainment programs, product sales (candy, book fairs, etc.), raffles, bingo, etc.
- .2 **Student Fundraising.** Any fundraising activity by students must be conducted in accordance with 5143.
- .3 **Development activities.** Activities that enhance the local scholarship fund and endowment(s) for the future viability of the school are encouraged. These activities are to be conducted within Archdiocesan guidelines. (See Parish and School Financial Policy Manual, Section D)
- .4 **Electronic and Internet Fundraising.** Schools must comply with the Internal Revenue Code restrictions on tax-exempt organization business activities as well as Archdiocesan policy prohibiting product and service endorsements. The following restrictions shall apply:
 - a) Any solicitation you may receive from companies seeking your involvement in Internet based shopping/non-profit rebates must be directed to the Office of Stewardship and Development.
 - b) The Office of Stewardship and Development will review the proposed program and, if acceptable, will assure that the school "sign-up" forms contain clear terms and conditions which protect the interests of the school and limit the nature and extent of the school's role in marketing the particular website, merchants, etc.

- c) The Office of Stewardship and Development will periodically provide to schools a list of those electronic and website programs which have been found acceptable. Schools are cautioned, however, that any such listing of a website does not indicate endorsement by the Archdiocese of the particular program. Schools choosing to refer the various websites to potential supporters (e.g., via the weekly envelope and/or on any school website fundraising page) will be required to include a cover note to any materials clarifying that there are various websites available and that the Archdiocese and school do not promote or endorse the products or services of any particular website or participating merchant and that the terms and conditions pertaining to the use of the website and any resulting purchases are between the supporters, the website and participating merchants and that the parish/school makes no representations or warranties concerning the products and/or services of the website operator or participating merchants. Finally, the cover note must state that no portion of payments made by supporters to merchants participating in the program are tax deductible.
- d) No ongoing promotional efforts on behalf of a particular website program, merchant group, etc., is permitted. For example, some organizations will recommend full-scale marketing plans which include presentations by website representatives, rallies, visits to merchants, press releases, ongoing flyers, etc. For the reasons stated above, this type of activity is prohibited. Website operators and merchants are, however, free to take out paid ads in the local paper or parish bulletin; though the parish/school must be careful not to allow itself to be referred to as a “sponsor.”
- e) Under no circumstances is a school authorized to operate, or facilitate the operation of “virtual mall” shopping on the school’s website (however, subject to the restrictions set forth in (d) above, the website addresses of approved commercial website shopping operators can be listed on the school’s website).

3362 **SPONSORS AND EVENTS**

Sponsors of these fundraising events include parent groups, booster clubs, youth clubs and the general school or parish community.

- .1 **Conduct and methods.** In all cases, the sponsoring group and its event exist only for the benefit of the school.
 - a) The conduct of the event and the methods employed by the sponsoring groups must conform to the policies of the Archdiocese and moral standards appropriate for Church activities.
 - b) When questions of taste, judgment, or the image of the Church are involved, it is incumbent upon the sponsors of the event to obtain the approval of the pastor.
 - c) It is expected that all fundraising activities shall comply with any and all federal, state and local laws and regulations including any tax filings and special licenses.
 - d) Officials of private and Archdiocesan schools planning to solicit funds through some special event or personal appeal should consult and inform the local pastor regarding the event. When there is no conflict with parish events or appeals, pastors are encouraged to support and accommodate schools through appropriate announcements, etc.
- .2 **Status.** The sponsoring group at all times derives its tax-exempt status through its affiliation with The Roman Catholic Welfare Corporation and The Roman Catholic Archbishop of San Francisco, a Corporation Sole, and is subject to Archdiocesan policies

and regulations. Therefore, the pastor is ultimately in charge and responsible for whatever occurs at any of these events, whether held on parish premises or away from the parish plant.

Parent or other support groups that lend financial assistance to the school are not to be separately incorporated.

- .3 **Bank accounts.** Auxiliary/sponsor group bank accounts are subject to strict limitations and controls. The pastor must be a signer on each and every bank account and at least two signatures are required on checks. (See Parish and School Financial Policy Manual, Section C)

3363 **REQUIREMENTS**

- a) The need and purpose of any fundraising must be clear and necessary.
- b) All funds raised should be applied to the stated purpose as soon as practical.
- c) Funds raised should not be allowed to accumulate without good and stated reason, and the approval of both the principal and pastor.
- d) Restrictions stipulated by the donor or implicit in the solicitation must be scrupulously adhered to by the recipient. (See 3340)
- e) Fundraising should not take advantage of children or detract from the primary educational purposes of the student, class, or school. (See 5143)

3370 OTHER RECEIPTS

3371 **MISCELLANEOUS COLLECTIONS**

Any solicitation or collection of money from students is subject to the regulations and provisions of this Handbook. (See 1223, 1224, 1225, 5143 and the Parish and School Financial Policy Manual)

Funds collected shall be used for the purpose publicized in advance of or at the time of solicitation. (See 3342, 3344)

3372 **COMMERCIAL ENTERPRISES** (See Parish and School Financial Policy Manual, Section D: 9)

Commercial enterprises may never promote merchandise directly to students. Students may not act as carriers of brochures or promotional literature on behalf of such merchandise, especially literature with attached response cards requesting home addresses. (See 5143)

Schools shall neither accept premiums nor permit agents to present lessons or mini educational programs in exchange for the promotion of commercial goods.

Book cover publishers do not, strictly speaking, sell a product to be purchased by the school or the parents. Nevertheless, past experience indicates that the principal should scrutinize carefully the business practices of any such publisher with whom the school contracts.

3373 **GIFTS, GRANTS AND BEQUESTS** (See Parish and School Financial Policy Manual, Sections D: II and III; E: C: M)

Subject to the limitations imposed in the Parish and School Financial Policy Manual, either the pastor or the principal may accept on behalf of and for the school any bequest, grant, or gift of

money or property in accordance with Archdiocesan policy for a purpose deemed by them to be suitable. Suitability shall be determined according to the criteria listed in 3373.1.

The money or property shall be used as designated by the donor. If the amount or restrictions on the money or property are such that utilization extends beyond the school year of the gift, grant, or bequest, the approval of the pastor is required for acceptance by a parochial school; the approval of the Superintendent for an Archdiocesan school.

Procedures listed in 3373.2 shall be followed.

.1 **Criteria for suitability.** To be acceptable, a gift, bequest, or grant must satisfy the following criteria:

- a) It must be offered by a donor acceptable to the school.
- b) The goal or purpose of the gift will be consistent with the school's philosophy.
- c) It will promote the best education of the pupils.
- d) It will enhance rather than add to the staff's work.
- e) It may begin a program only if the parish or Archdiocese would be willing to take over when the gift or grant funds are exhausted.
- f) It may add monies to the school's financial base.
- g) It will avoid restricting school programs.
- h) It may enhance the facilities.
- i) It will avoid any endorsement of any business or product.
- j) It will be in agreement with any provisions of the Administrative Handbook, the Parish and School Financial Policy Manual , or legal requirement.
- k) It will preserve the chief administrator's complete discretion to hire staff in accord with school philosophy and Archdiocesan policy.

.2 **Procedures for acceptance.**

- a) All donors or executors shall consult with the principal and pastor or Superintendent, and where required, the Archdiocesan attorney, before gifts are presented (1) to insure the usability of the gift, and (2) to insure common understanding of all the terms and conditions attached to the gift.
- b) Any gifts presented to the school must be accompanied by a letter from the donor for official action and recognition by the principal or pastor.
- c) A letter of appreciation signed by the principal or pastor shall be sent to the donor.
- d) Monetary gifts shall be entered in the proper receipts account. Gifts of equipment shall be listed in the school inventory.

3374 **SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES**

- .1 **Sales of surplus materials and equipment.** The sale of materials and equipment owned by the school that are surplus to its needs shall be: at cost or lower, if new; at fair value, if used. Usually, the order of priority for purchasers shall be:
- schools of the Archdiocese;
 - other Catholic schools;
 - other nonprofit agencies.

Before selling or disposing of items acquired from government surplus sales, schools should consult the terms under which the item was made available to them.

- .2 **Sale of books and supplies.**

See Section 3125 - Sales Tax.

- .3 **Disposal of equipment or materials.** If equipment or materials are provided by federal or state programs surplus items shall be returned to the local educational agency promptly.

3400 EXPENDITURES

3410 EXPENDITURES AND PURCHASING

3411 GENERAL

The chief administrative officer of the school has final responsibility for the administration of the budget and the expenditure of funds, subject to the limitations and procedures set forth in the Archdiocese's Parish and School Financial Policies Manual. In parish schools, the expenditure of funds for the school program is ordinarily delegated to the principal.

- .1 **Classification of expenditures.** Expenditures shall be limited to the amount budgeted under the classification of accounts provided for each fund and to the total amount of the budget. Adjustments may be made as indicated in 3214. Efforts should be made to charge all operating expenses to the fiscal year in which they are incurred, either by actual payment of expense or where significant and necessary by their proper accrual.
- .2 **Prorating of expenditures.** Individual expenditures made for more than one parish entity shall be prorated.

Three alternative methods are acceptable for circumstances where the expenses of more than one parish entity are incurred on one invoice, such as a utility bill for one meter serving both school and church.

- a) The multiple check method whereby each entity drafts a check for its share of the common bill, and then the checks are gathered together and sent to the vendor for the total amount of the invoice.
- b) The reduction of expense method whereby one entity pays the entire bill and is reimbursed by check from the other entities for their share of the bill, with the original paying entity depositing those checks and recording them as a reduction of expense.
- c) The memorandum method whereby the parish pays the bill and charges its portion to the proper expense account and the other portion as a subsidy to the school or other parish ministry, to which it sends a memorandum so that the school or other entity can record the item as subsidy income and an expense to the appropriate account.

3412 EMPLOYEE COMPENSATION

In all parish schools, the pastor is responsible for the payment of salaries and benefits of the regular staff and substitutes in accordance with the contracts and the provisions of this Handbook. (See 4151-4153, 4160, 4170, 4231, 4241, series 4150 and the Parish and School Financial Policy Manual, Section A: B; C; G; and Section I)

3413 PURCHASING GUIDES

Ordinarily, the principal is delegated to exercise the procurement function for the school. In this capacity it is the responsibility of the principal to see that equipment and materials adequate to accomplish the objectives of the school program are not only budgeted but also available to all classes. (See 3111.1). In all business transactions, the authorized school agent has the responsibility to:

- give primary consideration to the interests of the school and the system;

- respect the school's business obligations and to require that obligations to the school be respected;
- conduct business with fairness and dignity and to demand honesty and truth in buying and selling;
- deal only with reputable agencies.

3414 **RELATIONS WITH VENDORS**

Visits and interviews with representatives of textbook companies, suppliers, and commercial enterprises are left to the discretion of the principal or business agent. Ordinarily, good administration demands that agents be interviewed by appointment only, in order not to interfere with the planned activities of the school personnel. (See 3372)

3420 PURCHASING PROCEDURES

3421 **GENERAL**

The principal shall establish internal procedures, reports, records, and systems to promote efficient management of business procedures.

The system shall enable the school-purchasing agent to:

- combine orders;
- avoid duplication of purchases;
- take advantage of lowered prices for bulk purchasing;
- follow up on orders the delivery of which is unduly delayed;
- reconcile deliveries to orders before payment is made.

3422 **REQUISITIONS** (See Parish and School Financial Policy Manual, Section C: B)

3423 **PAYING FOR GOODS AND SERVICES**

The principal or delegated representative shall authorize payment for goods and services under the following conditions:

- a) They have been contracted for within budget limits.
- b) They have been purchased according to relevant purchasing policies and regulations.
- c) They have been inspected and certified by the responsible employee as having been received in acceptable condition.

3500 NON-INSTRUCTIONAL OPERATIONS

3510 OPERATION AND MAINTENANCE OF SCHOOL PLANT

3511 GENERAL

The chief administrative officer of the school shall establish maintenance and operations programs to ensure safe and healthful physical facilities.

- .1 **Operation of the school plant.** Operation comprises those housekeeping activities necessary to keep the plant open and ready for use.

In parish schools, the operation of the school plant is the responsibility of the pastor. The direction and supervision of the custodial staff is ordinarily delegated to the principal.

- .2 **Maintenance of the school plant.** Maintenance includes those activities that keep grounds, buildings, and equipment in their original condition of completeness or efficiency through repairs.

In parish schools, the maintenance and repair of all facilities and equipment of the school is the responsibility of the pastor. This includes lighting, heating and plumbing systems, the repair of desks and other school furniture, the replacement of broken glass, etc.

3512 SAFETY

The pastor and principal shall establish local safety standards following at least the minimum requirements of the Archdiocese.

- .1 **Inspections.** Local procedures shall be established to monitor safety requirements in the school. (See ARG, School Safety Plans and Checklists for Earthquakes and Other Disasters)
- .2 **Annual survey.** A survey of the school plant shall be conducted using the Safety Inspection Annual Report sent to parishes by the Chancery Office. (See ARG, School Safety Plans and Checklists for Earthquakes and Other Disasters)

3513 SECURITY OF BUILDINGS AND GROUNDS

Buildings constitute one of the greatest investments of the parish and Archdiocese. It is in the best interest of pupils and parishioners to protect that investment adequately. Security means more than having locks and being sure that they are locked at the proper times. Security also means:

- minimizing fire hazards;
- reducing the probability of faulty equipment;
- guarding against the chance electric shock;
- protecting from natural hazards and elements;
- protecting from community elements such as traffic;
- keeping records and funds in a safe place;
- protecting against vandalism and theft;
- protecting from intrusion by unauthorized person;
- maintaining safe conditions in student traffic areas.

The principal, in consultation with the pastor, is directed to establish such rules and regulations as may be needed to provide for security as outlined above.

In addition, the pastor and principal must acquaint themselves with all local fire regulations relating to security. The use, in buildings and on grounds, of padlocks, chains, and other security measures must be in accordance with safety and fire regulations.

- .1 **Keys.** All keys used in a school shall be the responsibility of the principal. Requests for permanent issuance of the keys shall be acceded to only when the employee regularly needs the key to carry out normal work activities. When need for a key is temporary, the key shall be issued on that basis.

Keys shall be used only by authorized employees and shall never be lent to pupils.

The greatest care shall be given to master and sub-master keys. Master keys shall never be lent.

- .2 **Alarm systems.** As a preventive measure school administrators are strongly encouraged to have intrusion detection devices with local alarms installed in all school facilities.
- .3 **Equipment identification.** The Department of Catholic Schools strongly recommends that schools participate in Operation Identification, the state program implemented by all local sheriffs and police departments.
- .4 **Vandalism and theft.** In the event of illegal entry, theft, vandalism, or damage to school property for which insurance claims in excess of \$100.00 will be filed, school administrators shall follow these procedures:
 - a) Call the police to investigate the incident and to file a police report. All claims must be accompanied by a copy of the report.
 - b) In the event of significant damage or loss, call the Archdiocesan Insurance Administrator immediately. The Archdiocesan claim investigator may wish to visit the school during the police investigation.
 - c) Report other losses as soon as possible.
 - d) File the claim and report as directed by the Archdiocesan Insurance Broker. (Gallagher Bassett).

3514 **USE OF FACILITIES**

The use of parish facilities by non-parochial groups shall be governed by Archdiocesan policy as detailed in the Parish and School Financial Policy Manual - Section K and in Appendix 3B.

3520 FIXED CHARGES

3521 **INSURANCE**

In compliance with the Statutes of the Archdiocese of San Francisco (#167 and 182) insurance programs sponsored by Chancery and the Department of Catholic Schools have been established. The programs include Archdiocesan Insurance Program, student accident insurance and Archdiocesan Benefit Plan.

Information and guidelines are published annually in ARG. Memos and updated directives are mailed as the need arises. (See also 4163, and ARG, Insurance for Employees and Students).

Brochures relating to student accident insurance and the benefit plan are delivered annually to each school. It is the responsibility of each principal to see that they are distributed to each student and employee.

Strict compliance with published guidelines is the responsibility of the pastor and principal. All fees and billings shall be paid by the due date.

3522 **PAYROLL TAXES**

Payroll taxes that are to be deducted from employee checks include Federal and State Income Tax and F.I.C.A. contribution. The schools of the Archdiocese are self-insured for unemployment purposes. Rates for these taxes are published annually by both the federal and state governments.

3530 **AUXILIARY AGENCIES**

3531 **TRANSPORTATION**

Parish and Archdiocesan schools that plan to institute bus service shall request permission in writing from the Superintendent. The operation of all buses shall be insured in accordance with the directives of the Chancery Office.

Under no circumstances shall a parish or school rent or borrow a bus and provide a driver.

If the school does not own a school bus, the preferred method of transporting students during school activities is by properly certified common carrier. In the event that private cars must be used, no more than eight properly seat-belted students may be transported at one time in a station wagon or van. (See 6226.3, 6226.4 and 6226.6 and ARG, Insurance for Employees and Students)

.1 **Operation and licensing of school buses and drivers.** Schools that operate a bus or van shall comply with the State Department of Education rules as outlined in Regulations and Laws Relating to Pupil Transportation in California. This booklet may be obtained from a California Highway Patrol school bus officer.

The operation of all school buses and the licensing of drivers are subject to the regulatory powers of the California State Highway Patrol. No school may operate buses without approved equipment and properly trained and licensed drivers. (See 4213.1)

.2 **Transportation reports.** All schools sponsoring bus service should prepare a report of same, including its extent and its cost to the student, and forward it annually to the Department of Catholic Schools.

3532 **FOOD SERVICE**

It is the responsibility of the principal, in consultation with the pastor and the board, to determine the type and extent of the local food service.

- .1 **School lunch and/or milk programs.** The principal or delegated official must be aware of and carefully follow the state and federal guidelines for meal and/or milk programs, especially the detailed stipulations about costs, charges, and anonymity of recipients where these exist. Required reports must be accurately and promptly submitted.
- .2 **Operation.** Each school shall comply with applicable health and safety code regulations regarding the operation of a food service. (See 4213.5)

The local health department has a right to inspect the premises and to make a Consumer Protection Food Inspection Report. Reported violations should be corrected as indicated.

3533 **MAINTENANCE**

Anyone retained to perform school repairs must provide status as an independent contractor by giving the license number and showing the certificate of liability insurance to the administrator. Additionally, the independent contractor must provide a federal identification or social security number to facilitate reporting at year-end on Form 1099. (See Appendix 3B)

Maintenance work done by paid or volunteer help is under the jurisdiction of the pastor who is responsible for compliance with the regulations of the Archdiocesan Building Office and all local codes and regulations.

3534 **VOLUNTEERS AND AUXILIARY AGENCIES**

Volunteers can be used for limited purposes in carrying out auxiliary services. Offers by volunteers within the parish and community to assist in the completion of a project must be approached with caution. The use of volunteers to perform certain tasks may create a risk. Whenever possible, volunteers should work on ground level. Contractors who donate services must be treated in the same manner, from an insurance point of view, as contractors who are being paid for their services (See Parish and School Financial Policy Manual, Section J).

3535 **EXTENDED CARE**

The Extended Care Program must be operated entirely within the context of the Parish and School Financial Policies Manual and Reporting System Chart of Accounts. All income is deposited into the General Fund of the school and all expenses are paid from the General Fund.

3540 CAPITAL OUTLAY

3541 **GENERAL POLICY**

When there is proposed an expenditure of \$15,000.00 or more for site work, building, remodeling, renovation, repairs, furnishings, or major maintenance, the procedures listed in the Parish and School Financial Policy Manual - Section J, must be followed.

Special grants, donations, or fundraising for capital expenditures are subject to the general criteria for gifts, grants and bequests. (See 3373.1)

3550 ESTABLISHMENT AND DISCONTINUANCE OF SCHOOLS

3551 GENERAL

The permission of the Archbishop, given in writing by the Superintendent of Schools, is required to establish or discontinue any parish or Archdiocesan school, elementary or secondary.

In addition, any major change in the operation or organization of a school of whatever level (e.g., addition or consolidation of classes, merger with another school, etc.) must be submitted to the Superintendent of Schools for approval.

The basic question to be addressed by a parish, religious congregation, or lay group is how resources can best be used to provide Catholic education for children. It is necessary that each parish or group studying this question include the Archdiocese, through the Superintendent of Schools, and other key constituencies in the decision-making process.

A proposal to expand, reorganize, or discontinue an existing school must be initiated by the governing authority of the school (Pastor, religious congregation, or Superintendent of Schools in collaboration with the Archbishop).

- .1 **In the parish setting.** A proposal to establish a new Catholic school may be initiated by the Pastor(s), parishioners in collaboration with the Pastor(s), a religious congregation in collaboration with the Pastor(s), the Superintendent of Schools in collaboration with the Pastor(s), or the Archbishop in collaboration with the Pastor(s).
- .2 **In the non-parish setting.** A proposal to establish a new Catholic school may be initiated by an interested group of Catholic laity, a religious community, or the Superintendent of Schools in collaboration with the Archbishop.

The proposing person or group will contact the Superintendent of Schools to announce the intention to propose expansion, reorganization or discontinuance of existing schools, or the intention to propose establishment of a new Catholic school, and for specific directions regarding the process to be followed in preparing the proposal and securing approval.

3552 ROLES AND RESPONSIBILITIES

In the parish setting the roles and responsibilities are as follows:

- .1 **Pastor.** As the spiritual leader and chief administrator of the parish, the pastor oversees the development and implementation of the planning process at the local level, working in a consultative manner with representatives of the constituencies involved in planning for the parish's educational needs. The Pastor is kept informed of development throughout the process and assumes responsibility for decisions and recommendations made at the local level.
- .2 **Principal.** Except in the case of a proposal to establish a new school, the principal assists the pastor and Steering Committee (see below) by providing leadership and necessary information.
- .3 **Parish School Board.** The School Board, including the pastor and principal, recommends the need for educational services in the parish and conducts the planning process. The planning process may be delegated to a Steering Committee composed of a representative cross-section of parishioners, including representatives of the Parish Council, parish Finance Committee and current school parents, as appropriate.

- .4 **Religious Communities.** If a religious community is currently staffing the parish school, the Major Superior should be notified at the beginning of the planning process and may be invited to have a representative participate on the Steering Committee. The Community should be kept informed of developments during the planning process and should be consulted prior to any final decision.
- .5 **Department of Catholic Schools.** The Department facilitates the planning process and serves as a resource to the Steering Committee. The Department should be involved in the process from the beginning. It is the Department's responsibility to assure that all steps in the planning process have been followed and to assure that recommendations and decisions are consistent with Archdiocesan policy.
- .6 **Archdiocesan Board of Education.** The Board advises the Archbishop on educational matters, including the expansion, reorganization or discontinuance of existing schools and the establishment of new schools. The Board will review the local decision and recommend to the Archbishop either acceptance, rejection or modification of the local decision.
- .7 **Other Archdiocesan Offices and Departments.** When required by Archdiocesan policy, and depending upon the type and scope of the planning goals, the Archdiocese's Vicar for Administration, Finance Council, Finance Department, Real Estate Department, Building Department, Legal Department, Human Resources Department, or Stewardship and Development Office may be called upon to participate in the planning/approval process.
- .8 **The Archbishop.** Recommendations of the Pastor(s) and Steering Committee, Archdiocesan departments, and Archdiocesan Board of Education are reviewed by the Archbishop. The Archbishop then makes the final decision regarding expansion, reorganization or discontinuance of a parish school and the establishment of a new parish school.

In the non-parish setting the responsibilities are as follows:

The governing body (religious community, board of trustees, etc.) should inform the Superintendent of Schools of the intention to expand, reorganize, discontinue or establish a Catholic school, so that the Department of Catholic Schools can take the change in school operations into account in planning for educational services under the jurisdiction of the Superintendent of Schools. The final decision must be made in collaboration with the Archbishop.

3553 **FEASIBILITY STUDY**

- .1 **Expansion or reorganization.** For expansion or reorganization of existing school(s) and for establishment of a new Catholic school, the pastor(s), religious community, or lay leadership group notifies the Superintendent of Schools of the desire to expand, reorganize or establish a Catholic school. The notification shall include the rationale for the project and the membership of the Steering Committee.

Approval to proceed with the project will be provided by the Superintendent of Schools after consultation with the Archbishop and the Archdiocesan Board of Education.

Upon approval, the Steering Committee shall be responsible for conducting a formal feasibility study including the following elements:

- a) Mission Statement/Philosophy;

- b) Enrollment/Demographic study that demonstrates the need for a Catholic school, a ten-year enrollment projection and a description of the impact of the proposal on the enrollment of neighboring schools;
 - c) Plans regarding securing and financing suitable site, building(s) and furnishings;
 - d) Description of the proposed school curriculum and co-curricular program;
 - e) Description of staffing needs and how the school proposes to address any problems that might hinder staffing of the school with qualified personnel;
 - f) Finance:
 - Five-year plan of projected revenue
 - Five-year plan of projected expenses
 - Financial profile of the community from which the school intends to draw enrollment;
 - g) Description of the organizational structure of the school;
 - h) Timeline for implementation of the expansion or reorganization of existing school(s) or for establishment of a new school.
- .2 **Consultation.** In consultation with the Department of Catholic Schools, professional consultants may be engaged to perform part, or all, of the feasibility study.
- .3 **Proposals to discontinue a Catholic school.** Notification to the Superintendent of Schools by the appropriate governing body shall be provided as in 3551 and 3552. Notice provided by a Pastor shall include a statement of support from the local school board and/or parish council.

Approval to proceed with a study shall be provided by the Superintendent after consultation with the Archbishop and the Archdiocesan Board of Education. Upon approval being given, a study shall be conducted including the following elements:

- a) Comprehensive rationale for discontinuing the school;
- b) Assessment of available places for students in other Catholic schools and a plan for their transfer/placement;
- c) Plan for alternative use or disposition of school buildings, facilities, equipment and furnishings.

3554 **APPROVAL**

- .1 **Feasibility studies.** Completed feasibility studies shall be submitted to the Superintendent of Schools who shall make a recommendation to the Archdiocesan Board of Education. The Board shall then provide its recommendation to the Archbishop. Final approval rests with the Archbishop.
- .2 **Approval.** Upon approval by the Archbishop, the Superintendent of Schools in the case of an Archdiocesan school, the Pastor in the case of a parish school, and the religious community or lay leadership in the case of a private school, shall be responsible to formulate and implement a plan to complete the projected expansion, reorganization, discontinuance or establishment of the school. The implementation plan shall be consistent with all Archdiocesan policies.

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Any reference in this Section to “agreement” refers to employment agreement.

4111 RECRUITMENT: General Norms

In parish schools, the Department of Catholic Schools is responsible for recruiting candidates for the position of principal, subject to other applicable provisions in this Handbook. The Department of Catholic Schools and the principal normally recruit candidates for teaching positions, in accordance with local procedures approved by the pastor for parish schools and by the Superintendent for Archdiocesan schools.

- .1 Members of religious congregations are engaged under an individual Agreement.
 - a) Follow the procedures detailed in 4111.2, 4112, 4114.
 - b) Written approval of the proper major superior.
 - c) Use an agreement form provided or explicitly approved by the Superintendent.
- .2 Pastors and principals may hire lay staff for part-time or full-time service only after the candidate has opened a personnel file in the Department of Catholic Schools (See 4111.3). Consequently, candidates who apply directly to local schools must be directed to the Department of Catholic Schools. Here each prospective teacher or administrator must open a personnel file that shall include:
 - completed employment application form
 - résumé
 - official transcript(s) of college and university work completed
 - verification of currently valid credential(s)
 - verification of college advanced degrees
 - verification of teaching/administrative experience
 - two reference letters concerning the most recent professional experience and one personal character reference or three performance evaluations
 - verification of TB testing
 - fingerprint clearance verification (if no California credential)
- .3 The Department of Catholic Schools assists schools in recruiting credentialed personnel. The Department maintains (a) personnel files for all current applicants, (b) publishes the Qualified Applicant List of applicants who meet the standards for employment and, (c) publishes a cleared and approved Substitute List on a regular basis. Principals should refer to and cooperate with the Department of Catholic Schools in accordance with the general provisions set down in Series 2000 of the Handbook and the annual directives of ARG, Personnel Records and Policies.
- .4 All school staff of Catholic schools of the Archdiocese of San Francisco shall be employed without regard to race, color, gender, age, ethnic or national origin.
- .5 Immigration/Non-Immigration Visa/Work Applications. The variety of immigrant and non-immigrant visa categories each have specific qualifications for entrance into the United States. Some visa applications request “sponsorship” by an employer. Pastors, principals or agency heads may not sponsor immigrants and may not sign or co-sign any type of

States government that an applicant will not become a financial burden to the State. The school may not participate in the visa renewal process. The school, before hiring any employee, must receive proof of the applicant's legal authority to work in the United States (social security card, valid visa or "green card"). (See ARG, Immigration/Non-Immigration Visa/Work Applications, R – 1, H – 1 Visa).

4112 **RECRUITMENT PROCEDURES**

Local recruitment procedures must conform to the general norms stated in 4111 and the other provisions of this Handbook.

- .1 **Teachers.** No principal may hire a full-time teacher without first verifying that the teacher applicant has resigned, will not be re-employed, or is not under concurrent agreement to any other school or district.

The final selection of a new teacher from among screened and qualified applicants is made at the discretion of the principal and pastor in accordance with established policies and procedures.

- .2 **Principals.** The pastor as head of the parish school has final responsibility for hiring the principal. The Associate Superintendent for Personnel will establish a Search Committee to assist the pastor in the selection of principal. The applicant must be approved for employment by the Superintendent of Schools who cosigns the agreement with the pastor.

4113 **QUALIFICATIONS**

- .1 **Qualifications for teachers.**

- a) **Academic and professional.** Teachers should possess at least the minimum academic and professional preparation requisite for the subject and school level to which they are assigned. Minimum academic preparation is a Bachelor's degree from an accredited institution. The basic norm for professional qualifications is (1) an advanced degree in an appropriate field or (2) a standard teaching credential of the State of California, or the equivalent as defined by the Superintendent and (3) some experience working with children.
- b) **Health.** No person shall be initially employed by a school unless the person has submitted to a physical examination within the past two years to determine that the applicant is free of active tuberculosis. Therefore, all employees shall be required to undergo the TB examination at least once every four years.

A person who transfers employment to another school will meet this requirement (1) if the teacher presents a certificate documenting that he/she has been examined within the past four years and found to be free of communicable tuberculosis, or (2) if the former employer verifies that such a certificate is on file.

Documentation of compliance with this requirement should be kept with the employee's personal file at the school and in the Department of Catholic Schools.

- c) **Personal.** The Ortiz-Alby legislation requires that all paid employees have a valid credential or be fingerprinted and receive clearance from the Department of Justice prior to contact with minor children. School volunteers must also be fingerprinted and cleared. The record of each staff member is expected to be free from incidents which disqualify him/her from teaching, tend to impair his/her effectiveness as a teacher or administrator, or reflect discredit upon the school or Archdiocese.

Catholic and are committed to maintain a Catholic philosophy of life and high educational standards, it is expected that teachers in these schools shall have a knowledge of, and commitment to, the Catholic character of the school.

- .2 **Qualifications for principals.** Besides the qualifications listed in 4113.1 (2-3), principals are required to have (a) a valid teaching credential (b) a Master's degree in educational leadership and an administrative credential, and (c) five years successful administrative experience at the appropriate level (at least three in Catholic schools).

Because of responsibility for the school's religious education program, the principal must be a practicing Roman Catholic in good standing with the church.

4114 **EMPLOYMENT: General Norms**

Pastors and principals may engage the services of an applicant only after verifying all degrees, references, credentials, and experience through appropriate consultation of the candidate's personnel file in the Department of Catholic Schools, and conducting personal interviews with the candidate.

- .1 **Records.** All teachers and principals are required to maintain an updated personnel file at the Department of Catholic Schools. This file shall include all the items listed in 4111.2 and the following:

- Archdiocesan employment application
- Résumé
- Official College/University Transcript verifying earned degree - BA, MA, or Ed.D.
- Copy of current California (or another state) Credential – Teaching, Administrative
- Letters of Reference (2 professional and 1 personal) for hires after June 2001
- Live Scan clearance date (if candidate does not hold a current California Credential)
- W-4 Form (filed in separate file alphabetically)
- I – 9 Form (filed in separate file alphabetically)
- Signed Archdiocesan Child Abuse and Harassment Policy 2001 and 2003
- Signed Universal Precaution form
- Signed Acceptable Use Policy (technology).

The above items are completed at the time of hire.

The following records are to be kept on file and updated annually.

- Religion Certification: basic and recertification records
- Current Professional Growth Plan
- Annual Teacher Professional Goals – current year
- Current 102 Form
- Current Pension report
- Employee emergency information
- Current Job Description specific to current job responsibilities
- Current Employment Agreement
- Current Teacher Evaluation
- Prior year Summative Teacher Evaluation
- Most recent TB clearance
- Disciplinary document – if any.

- .2 **Interviews.** The principal must verify qualifications of a teacher candidate by reviewing the complete placement file (see 4111.2, 4114.1), verifying references, and by conducting personal interviews. Through personal interview the principal must determine that the teacher applicant is able and willing to fulfill the professional obligations set down in the agreement and related Archdiocesan and local policies.

It is the responsibility of the Department of Catholic Schools in collaboration with the Pastor and the Search Committee to establish the unique local criteria for the position of principal. It is also their responsibility to verify that each candidate meets these criteria by reviewing the complete placement file (see 4111.2, 4114.1), verifying references, and by conducting personal interviews. These will enable the pastor and Search Committee to identify the overall attitude and philosophy of the prospective administrator, and to establish the candidate's understanding and willingness to comply with the conditions of service outlined in the agreement and detailed in Archdiocesan and local board policies.

4115 **EMPLOYMENT: Agreements**

All full-time teachers and principals, religious and lay, shall be engaged under one of the agreements for full-time services provided by the Department of Catholic Schools. The Department establishes and publishes the mandatory procedures for executing the various agreements. In no instance shall the provisions of the agreement be altered without the written consent of both parties and the Superintendent. If in the opinion of any party, provisions of the agreement are not being respected, or if a clarification of a provision is needed, the matter should be referred to the Superintendent.

Copies of the signed agreements are retained by the school, the employee, and the Department of Catholic Schools. In the case of religious, one additional copy is retained by the major superior.

- .1(E) **Religious personnel.** Religious personnel hired as teachers in schools, not staffed under a community agreement, may be formally engaged via the local Provincial, at the discretion of the principal with the consent of the pastor.
- .2(E) **Principals.** The Parish School Principal Agreement in the elementary schools of the Archdiocese of San Francisco shall be signed by the contracting principal, the pastor of the parish school, and the Superintendent of Schools. One copy shall be retained by each party.
- .3(E) **Instructional Personnel.** Employment Agreements are used in the Archdiocese of San Francisco.

4116 **RESPONSIBILITIES AND DUTIES**

The purpose of a Catholic School is to create a Christian educational community committed to high educational standards within the framework of Catholic principles. To this end each school operates according to an applied philosophy derived from the church documents on Catholic schools (See 6111, 6112).

Each teacher is expected to implement this philosophy as it is interpreted by the pastor and principal and to fulfill all duties under the direction of the principal.

It shall be the duty of all Instructional Personnel:

- a) to adhere to the provisions set forth in the Employment Agreement for Instructional Personnel and the school's Faculty Handbook.

- b) to use the prescribed curriculum, the authorized textbooks and materials, and to enforce and implement the rules and regulations of the school in the Administrative Handbook, the General Curriculum Guidelines, and local directives.
- c) to observe the school calendar for teacher in-service days (See 6214).
- d) to fulfill the normal work load of a regular full-time teacher which shall include: actual classroom teaching time, conferences with pupils and parents, supervision of student activities, lesson plans, attendance at faculty meetings, and participation in programs/meetings for the development and improvement of the instructional program and the teacher's own competence.
- e) to undertake assigned extra curricular duties during and outside of school hours. (It is the responsibility of the principal to ensure the reasonableness of such assignments and to make an equitable distribution of them among the staff members.) Non-instructional duties may include yard supervision and responsibility as moderator of special activities or student organizations (See 5161, 6143, 6213). Teachers may not be required to perform the duties of a custodian (See 6224.3).
- f) to be responsible for the order and discipline of the pupils in his/her class and jointly responsible with the principal and the other school staff members on playgrounds, other school areas, and at all school functions to which the teachers are assigned (See 5161, 5172.3, 6226.3).
- g) to cooperate fully with the school's liturgical and other religious activities and attend religious functions involving the school or class (See 6123, 6123.1).
- h) to make all reports as required for administrative purposes and for pupil attendance and accounting (See 5128, 5132).
- i) to maintain a complete up-to-date personnel file in the Department of Catholic Schools (See 4114.1).
- j) to maintain a current State of California Teaching Credential.
- k) to exercise proper supervision and care for all furniture, computers, books, supplies, equipment, rooms and buildings entrusted to their use; instruct pupils in their care preservation and proper usage; report promptly any conditions calling for administrative attention.

The responsibilities and duties of the principal are generally outlined in Series 2000, and specifically noted in the subdivisions and items of this Handbook.

4117 **SUPERVISION AND EVALUATION**

The principal has the responsibility to maintain a continuing program of supervision and evaluation of teachers for the following purposes:

- to assure support for the goals of Catholic education and of the specific school program;
- to improve the instructional program;
- to assist the professional growth of the teacher;
- to develop in teachers those skills and competencies which will enable them to be facilitators in the academic areas of the school program.

The supervision shall be frequent and long enough for these purposes. A continuing program of supervision and evaluation should include informal classroom observations, personal observations, individual conferences, and formal classroom observations with pre- and post-conferences. All teachers are formally observed at least twice a year. Each administrator is encouraged to utilize a variety of techniques and data in order to establish a performance profile for each teacher and to give direction to further professional growth. Some classroom observations for improvement and professional development may be delegated to other competent professionals; however, the principal has final responsibility for the evaluation of the professional staff members.

It is advisable to maintain a log or other written records of classroom visits and individual conferences. It is required to maintain a written documentation when need for improvement is noted (See 4122.1).

Principals are to follow the basic evaluation procedures outlined by the Department of Catholic Schools and to file the required evaluation report with the Department so that each teacher's file will be complete and current. (See ARG, Personnel Records and Policies) The Department of Catholic Schools does not require the filing of an evaluation report for volunteers and aides. Principals are expected to conduct performance evaluations on all non-instructional personnel.

.1(E) **Elementary teachers.** The performance of all elementary teachers is to be evaluated and reported according to directives and forms supplied by the Department of Catholic Schools.

The principal shall give each teacher a copy of the performance evaluation form in September and explain the purpose and procedures of the form. After completion of the performance evaluation, the principal shall hold an individual conference with each teacher to discuss it. At this meeting, the teacher and the principal shall sign the performance evaluation to verify that the evaluation has been seen and discussed. The teacher may attach a written reaction to the evaluation ratings within ten days of the principal-teacher conference.

The principal shall send a copy of the teacher's performance evaluation to the Department of Catholic Schools and place a copy of performance evaluation in the teacher's personnel file at the school. The teacher is to receive the original. The content of the performance evaluation is confidential and available only to authorized personnel, i.e., principal, teacher evaluated, pastor, superintendent, personnel office, religious major superior or authorized representative, or an administrator interested in employing the teacher.

.2(S) **Secondary teachers.** All secondary principals are to implement a performance evaluation program for all personnel under their administration.

4118 **TEACHER INTERNSHIP PROGRAM**

The intern teacher is a professional person in his/her first year of teaching or new at the Archdiocese of San Francisco, who possesses a four-year academic degree from an accredited institution of higher learning and who has been hired by an elementary school in the Archdiocese of San Francisco.

The program provides initial understanding and methodology necessary for teachers. Formal and informal assistance will be given on a regular basis during his/her first year of teaching.

The principal will assign a mentor teacher with five years of successful teaching experience in a Catholic School, who will orient and supervise the intern teacher on a regular basis.

4119 **PROFESSIONAL GROWTH: Staff Development**

Administrators and teachers shall further professional growth by formal study, professional reading, attendance at Archdiocesan and other workshops, conventions, and professional meetings, in addition to faculty meetings. To support this effort the Archdiocese sponsors in-service programs and workshops for teachers and administrators.

- .1 **Faculty meetings.** Well-planned faculty meetings are vital to professional growth, the implementation of policies, the instructional program, and faculty relationships. These meetings are normally held monthly, or as often as necessary or advisable.
- .2 **In-service days.** In addition to the "required number of school days in session" all school calendars shall include additional teacher in-service days for faculty orientation or curriculum meetings, according to local needs and policies (See 6124).

4120 PERMANENT STAFF: Elementary Schools

4121 **RENEWAL OF AGREEMENT FOR TEACHERS**

Teachers employed under the agreement used in the Archdiocese are hired for one year only. The decision to re-employ each teacher is the annual responsibility of the principal in consultation with the pastor. However, any decision **not** to re-employ a teacher is subject to prior consultation with and approval by the pastor and the Superintendent's Office (following appropriate consultation with the Archdiocesan Legal Office).

The principal shall by March 15th, notify each teacher whether or not the school will offer an employment agreement for the following year. Teachers who are offered an employment agreement must accept or decline in writing by April 15th. The employment agreement and salary schedule should be available for review at this time. This provision is for convenience only and failure to offer an employment agreement by the date specified shall not be deemed to be an invitation to return.

As provided for in the annual Agreements, there shall be no obligation on the part of the school to renew the contract after the expiration date stated, and fulfillment of the terms of the contract does not entitle the teacher to tenure or expectation of contract renewal. The contract shall terminate at the end of the prescribed period, or upon separation of the teacher from service unless the teacher is invited to continue for the next school year.

4122 **RENEWAL OF AGREEMENT FOR PRINCIPALS**

Principals employed under the agreement used in the Archdiocese are hired for one year only. The decision to re-employ a principal is the responsibility of the pastor. However, any decision not to re-employ a principal is subject to prior consultation with the Superintendent and needs the approval of the Superintendent (following appropriate consultation with the Archdiocesan Legal Office).

If the school intends to employ a principal for the next school year, an employment agreement for the next school year shall be presented to the principal on or before March 1st. Principal agrees to return the executed employment agreement on or before March 15th if he/she agrees to accept the employment of employment for the next school year. This provision is for convenience only and failure to offer an employment agreement by the date specified shall not be deemed to be an invitation to return.

As provided for in the annual Agreements, there shall be no obligation on the part of the school to renew the contract after the expiration date stated, and fulfillment of the terms of the contract does not entitle the teacher to tenure or expectation of contract renewal. The contract shall terminate at the end of the prescribed period, or upon separation of the teacher from service unless the teacher is invited to continue for the next school year.

4123 **TERMINATION OF TEACHER AGREEMENT BECAUSE OF CURTAILMENT, CLOSURE OR REORGANIZATION.**

A teacher who is to be terminated by an elementary school because of closure, curtailment or re-organization as provided for in Section 3553 of this Handbook, may be referred by the Department of Catholic Schools to other elementary schools of the Archdiocese for employment:

- a) provided a position is or will be open in the school(s) to which the teacher is referred and for which said teacher is qualified academically or by teacher experience.
- b) provided the applicable procedures set forth in the sections of this Handbook governing the employment of teachers are followed.
- c) provided the final decision as to whether or not a teacher is to be employed rests with the school(s) to which said teacher has been referred.

A teacher terminated by an elementary school in the Archdiocese who is employed on a continuing basis by another elementary school in the Archdiocese and who has accumulated unused sick leave at the former school shall be entitled to retain the accumulated sick leave up to a maximum of twenty (20) days in accordance with Section 4163 of this Handbook.

4124 **TERMINATION OF TEACHER AGREEMENT**

Notwithstanding the existence of an employment agreement, a teacher may be terminated at any time for cause and all employment agreements are subject to this condition. A teacher may be suspended immediately when the pastor and principal determine that serious circumstances indicate that it is in the best interests of the school.

The principal, subject to prior consultation with the Superintendent and approval by the Pastor, is responsible for determining when to dismiss or otherwise discipline a teacher employed under the terms of the employment agreement at any time during the school year.

The following outlines the guidelines and procedures for evaluation:

- .1 **Prompt notification.** Using the procedures and forms detailed in 4117, the principal gives prompt written notification of dissatisfaction with the teacher's performance or other grounds for termination. The principal discusses the written statement with the teacher and the teacher is asked to sign it. If the teacher refuses to sign the written statement, a notation should be made (See 4117.1(E)).
- .2 **Steps for improvement.** The principal clearly states in writing the salient points of the problems, defines acceptable evidence of improvement, calendars a timeline for improvement and provides for assistance as needed.
- .3 **Reevaluates teacher performance.** The principal periodically reevaluates the stated grounds as well as cooperation using an evaluation report. Improvement or the lack of it are documented as to time, place, and circumstances, and then discussed with the teacher. Principals have the discretion to evaluate any teacher as often as necessary.

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In addition to poor performance, disciplinary action up to and including dismissal may result from acts such as, but not limited to, insubordination; dishonesty; theft; falsification of records or information; falsification of job application or references; unfitness for service (e.g., working under the influence of intoxicants or drugs); sexual harassment and other unlawful harassment; unsatisfactory job performance; unprofessional conduct; breach of professional ethics; inability to work cooperatively with supervisors, peers, or subordinates; violation of the terms of the agreement or any conduct tending to reflect discredit upon the school or the Archdiocese or tending to impair the teacher's usefulness as a teacher.

In cases where the grounds are incompetency or neglect of duty, inability to work cooperatively with supervisors, peers, and subordinates, it is strongly recommended that the procedures listed in 4125.3 be followed. The teacher's failure to provide acceptable evidence of improvement within the required period of time should be evaluated, documented by the principal, and discussed with the teacher.

.4 **Procedures for discharge.** As soon as the principal determines that grounds for discharge have been established, the following procedures are to be followed:

- a) The principal prepares a statement in support of the grounds for dismissal with full documentation.
- b) The pastor is consulted and concurs in the decision to terminate the teacher's employment agreement.
- c) The statement prepared by the school in support of the grounds for termination is to be forwarded to the Associate Superintendent for Personnel for review before any action is taken.

.5 **Notification.** The notice of termination fully documented with the effective date of termination shall be given to the teacher in person and sent by registered mail to the teacher's last known address with return receipt requested. Copies of this notice shall be given to the pastor and to the Associate Superintendent for Personnel.

.6 **Documentation.** The principal shall document as to time, place and circumstances all conferences and procedures listed in 4124.1, 4124.2, 4124.3, as well as the supporting evidence indicating grounds for termination (See 4124.4 and 4124.5).

4125 **TERMINATION INITIATED BY THE TEACHER**

With the consent of the school, a teacher may terminate an agreement. The teacher shall give a reasonable period of notice that is ordinarily not less than thirty (30) days. The best interest of the students should be of paramount consideration in the process.

4126 **TERMINATION OF PRINCIPAL'S AGREEMENT DURING A SCHOOL YEAR**

Pastors reserve the right to recommend the termination of a principal in accordance with the terms and conditions of the agreement used in the Archdiocese; however, such termination shall not be, in the opinion of the Superintendent, arbitrary or capricious.

Termination of the principal must be approved by the Superintendent (following consultation with the Archdiocesan Legal Office) who co-signs the agreement with the pastor. In the case of a principal from a religious community, there should be consultation with the major superior or authorized representative who approved the individual agreement.

- .1 **General procedures.** The following are the procedures governing the termination of a principal during a school year:
- a) If a pastor after proper supervision and evaluation is dissatisfied with the principal's performance, the pastor contacts the Associate Superintendent for Personnel. After consultation, the pastor gives prompt written notification to the principal of the reasons for such dissatisfaction. The pastor discusses this written statement with the principal, and the principal must be asked to sign it. If the principal should refuse to sign the written statement, a notation to that effect should be made on the statement. The principal is also given a copy of the statement.
 - b) The principal's improvement plan should be discussed and designed with the Department of Catholic Schools. Areas of improvement and an assessment timeline should be clearly stated.
 - c) With the assistance of the Department of Catholic schools, the pastor should monitor and assist as needed.
 - d) The pastor, in consultation with the Department of Catholic Schools, shall prepare a detailed statement regarding the lack of competence on the part of the principal to perform the duties involved in the position. This statement shall be forwarded to the Associate Superintendent for Personnel for review before action involving termination is taken.
 - e) If termination prior to the end of the school year is to take effect, written notice with the reasons for such termination and the effective date shall be given to the principal and shall also be sent by registered mail with return receipt requested to the principal's last known address. The principal shall be advised in this notice of the opportunity for a review of the termination in accordance with the procedures set forth

4127 **GRIEVANCE, APPEALS AND REVIEW**

A teacher or principal with a grievance concerning any claims or issues pertaining to the interpretation of the agreement or the conditions of employment shall resolve the dispute in accordance with the grievance, appeals, and review procedures detailed in this Handbook. Any conflict between the provisions of the agreement and the provisions of the Handbook, shall be resolved in favor of the terms of the agreement.

4130 **SUBSTITUTE TEACHERS**

A person hired as a day-to-day substitute teacher must meet minimum Archdiocesan standards of professional training as well as complete the I-9 and W-4 forms for the issuance of the Archdiocesan Substitute Identification Card for payroll purposes (See 4113.1).

School principals who hire substitute teachers who are not on the Archdiocesan approved list, need to ensure that the substitutes meet Archdiocesan standards of professional training and Live Scan screening as well as complete the I-9 and W-4 forms.

4140 **ACTIVITIES**

4141 **GENERAL**

All teachers and administrators are expected to honor the terms of their agreement and follow the Code of Ethics for Catholic School Teachers. (See Appendix 11) Specifically, no educator shall use for private gain either professional relationships with students and parents or institutional privileges.

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4142 **TUTORING**

A teacher shall not tutor for remuneration students assigned to his/her classes. Nor shall a teacher tutor students for remuneration on school property.

4143 **POLITICAL ACTIVITIES**

School employees engaging in political activities shall not intentionally capitalize on their professional position or institutional affiliation, but shall make it clear that their activities are performed as individuals. The right to political participation does not extend to partisan campaigning on school property or during school hours or during school related programs and events. Likewise, it does not extend to the use of school lists and directory information concerning students, faculty, parents, and alumni.

4150 EMPLOYEE COMPENSATION

4151 **SALARY SCALE FOR TEACHERS**

Every parish school should publish to all staff the Archdiocesan salary scale which must be applied uniformly to all teachers employed by the school, subject to this Article of the Handbook and implementing directives from the Department of Catholic Schools.

- .1 **Department of Catholic Schools guidelines.** The Superintendent will promulgate guidelines approved by the Archbishop for the lay salary schedules. (See ARG, Staff Compensation) These guidelines will specify the following elements:
 - a) entry requirements for salary placement;
 - b) salary classifications according to degrees and credentials;
 - c) salary ranks according to specified periods of satisfactory service;
 - d) a starting salary in the lowest rank and classification;
 - e) a dollar differential between classifications;
 - f) a dollar increment between steps;
 - g) requirements for advancement on the schedule.

- .2 **Initial placement on salary schedule.** Every teacher new to the school shall be placed on the salary schedule in accordance with Department of Catholic Schools directives.
 - a) **Class.** The teacher should be placed in the Class corresponding to the degrees, credentials, and units specified in the schedule. Degrees or credentials from non-accredited institutions or from outside the United States, are not to be accepted for salary placement without evaluation and approval by the Department of Catholic Schools.
 - b) **Step placement.** Step placement shall be determined according to these guidelines:
 1. Full service credit is to be given to those who have previously taught full-time in Catholic elementary or secondary schools. (one Step for each year of service).
 2. Service credit for full time teaching experience in private or public schools is to be granted at a rate of full credit up to ten years of prior service and half-credit (one Step for each two years of experience) for teaching experience thereafter.
 - c) **Verification.** No credit for initial placement should be given unless all degrees, credentials, and previous professional experience have been verified by requisite documentation in the teacher's personnel file (See 4111.2).

- .3 **Advancement on salary schedule.** The agreement for teachers should normally reflect at each renewal an advancement on the salary schedule according to increased qualifications or experience of the teacher.
 - a) **Advancement in Class.** To advance in Class, a teacher (1) must inform the principal in writing by March 15th that requirements for advancement will be met before the beginning of the next contract year, and (2) must file in the Department of

Catholic Schools no later than September 1 requisite documents verifying the award of degree, credential, or units. Salary advancement does not take effect until such verification is on file. Retroactive payments may be made in the case of filing after the beginning of the current school year, but no later than September 15.

- b) **Advancement in Step.** Continuing teachers should normally advance one Step for each year of satisfactory full-time service in the school. To advance in Step a full-time teacher must serve at least 75% of the days of service specified in the agreement or for part-time teachers 75% of each school day.
- c) **Advancement in Class and Step.** Teachers may advance in both Class and Step in the same year if they have met all the requirements specified above.
- d) **Other Conditions for Advancement.** At the time of signing the agreement local authorities or the Superintendent may stipulate as a condition for subsequent agreement renewal or salary advancement certain improvement in performance or completion of specified academic or professional work. Such conditions should be specified in writing (See 4113.1, 6123.1).

4152 **TERMS OF PAYMENT: REGULAR INSTRUCTIONAL PERSONNEL**

All teachers will be paid the salary stipulated in the agreement, less the standard deductions required by law, or mutually agreed upon in writing by the parties to the agreement with the approval of the Superintendent.

- .1 **Pay Periods.** The annual salary will be paid in twelve (12) or twenty-four (24) equal installments, as specified in the agreement.
- .2 **Salary reduction.** The principal may deduct from a teacher's final pay check a prorated daily amount for the number of service days that (a) the teacher has been paid for sick leave in excess of the number of days actually earned (see 4164), or (b) the teacher has been absent for reasons other than those authorized in the regulation governing leaves (see 4170).

4153 **SUBSTITUTES, and other NON-INSTRUCTIONAL PERSONNEL**

Substitutes, and other non-instructional personnel as defined in this Handbook are to be paid at a rate specified in the salary schedule in accordance with the Department of Catholic Schools guidelines (See 4132).

- .1 **Day-to-day substitutes.** A daily rate for substitute teachers is published annually by the Department of Catholic Schools.
- .2 **Temporary teachers.** Temporary and long-term substitute teachers should be placed on the approved Salary Scale according to their qualifications and paid a pro rata amount according to the number of days served in relation to the total number of days in the teachers' calendar of the school.
- .3 **Part-time teachers.** Regular part-time teachers should be placed on the schedule according to qualifications and paid a pro rata amount of the salary scale, according to the number of days or hours of service. This amount is to be stated in the agreement. For specialized instructors see 6334.

4160 EMPLOYEE BENEFITS

4161 BENEFITS FOR RELIGIOUS ON THE STIPEND COMPENSATION MODEL

Benefits as specified in agreements with major superiors or individual religious shall be provided to religious who serve under such agreements.

Health coverages, retirement and residence allowances shall be paid as stated in Archdiocesan policy.

- .1 **Health coverage.** Unless provision has been made by the major superior with the Department of Catholic Schools, all eligible religious shall be provided medical-dental coverage and life insurance through the Archdiocesan Health Plan.
- .2 **Retirement plan.** In addition to the total stipend paid to each religious employed full-time in a school, a percentage of the gross stipend stipulated by the Archbishop will be forwarded yearly to the Religious Community as Contribution to Retirement of Religious. This amount is to be sent to the Community in one payment each November, or in two equal payments in November and March.

4162 BENEFITS FOR RELIGIOUS ON LAY PARITY MODEL OF COMPENSATION
(See 4163-4167)

4163 HEALTH COVERAGE

- .1 **Coverage.** Coverages, terms and conditions are published in the Archdiocesan Benefit Plan brochure.
- .2 **Enrollment.** Each eligible employee is to be enrolled in the Archdiocesan Benefit Plan unless the employee declines in writing.
- .3 **Eligibility.** An eligible employee is one who serves a minimum of twenty (20) hours during a regular five-day week in either a teaching or non-teaching staff position. For long-term disability insurance, twenty (20) hours is required.
- .4 **Dependent coverage.** Optional medical-dental coverage for dependents of full-time lay employees is available. Required payments will be withheld from the employee's check and forwarded by the school in accordance with the Archdiocesan Plan.

4164 SICK LEAVE

Full-time employees employed for the entire school year shall earn sick leave with full pay at the rate of one (1) day per month to a maximum of ten (10) days during a school year. Full-time employees employed for a period less than an entire school year shall earn sick leave with full pay at the rate of one (1) day per month of employment when school is in session.

Part-time employees shall earn sick leave with pay at the same ratio as their part-time assignment bears to a full-time assignment. Employees who work less than twenty (20) hours per week shall not be entitled to sick leave with pay.

Full-time employees may accumulate all unused sick leave days each year up to a maximum of twenty (20) accumulated days. Accumulated unused sick leave shall be in addition to the ten days of earned paid sick leave per year noted above. The maximum combined earned and accumulated sick leave is thirty (30) days (six work weeks).

Paid sick leave days are authorized for employees who are absent because of bona fide illness on days on which they are required to serve during a school year. After five (5) days of absence due to illness, a doctor's verification should be obtained by the employee and given to the administrator. Employees may use all or a portion of their annual and accumulated sick leave at any time they are absent because of bona fide illness or family illness (see below).

- a) By California law employees may use up to one-half of their annual sick leave allotment to attend to ill family members.
- b) Employees may use this leave only when their child, parent, or spouse is ill (this includes foster, step, and adopted children and parents).
- c) All restrictions placed on employees for the use of sick leave also apply to the use of sick leave for caring for their family member (for example, a requirement that they produce a doctor's note to qualify for an excused absence).

A deduction of a prorated daily amount shall be made from the pay checks of employees if the number of sick leave days for which they have received pay exceeds the number of such days actually earned/accumulated. The amount of this daily deduction shall be determined by dividing the total annual salary of such employees by the number of service days in their respective calendars during the school year (See 4153.2).

All annual and accumulated sick leave days are canceled upon the separation of an employee from service in the Archdiocese and no compensation may be sought.

Administrators shall maintain a cumulative attendance record for every employee during the entire period of employment. Use of the Employee Attendance Record is mandatory in Parish and Archdiocesan schools (See ARG, Personnel Records and Policies).

4165 **WORKERS' COMPENSATION INSURANCE**

All lay employees are covered for on-the-job injuries and work-related illnesses. Their medical bills are paid in accordance with insurance company schedules. If they are off work more than three (3) days as a result of such an injury or sickness, their salaries are paid in part in accordance with the provision of workers' compensation insurance. At the employee's written election, salary continuation benefits paid by workers' compensation insurance shall be integrated with paid sick leave benefits.

4166 **SOCIAL SECURITY**

It is necessary to withhold and to remit to the proper authorities income taxes and Social Security payments for substitute teachers or temporary employees unless their annual income from all sources will not exceed the amount of six hundred dollars (\$600.00).

4167 **PAROCHIAL PENSION PLAN**

- .1 **Archdiocesan program.** All employees regularly working twenty (20) hours or more during a five-day school week participate in the Archdiocese of San Francisco Parochial Pension Plan. Contributions equivalent to a defined percentage of eligible employees' gross annual earnings are made by the employing parish/school at the direction of the Plan Administrators.
- .2 **Individual retirement plans.** Lay employees may invest a portion of their earnings in the Archdiocesan 403b tax deferred retirement savings plan.

4170 ABSENCES AND LEAVES

In the following Sections 4171 through 4176, “full-time employee” refers to all full-time instructional personnel, administrators and principals, as well as all full-time non-instructional employees. The “appropriate administrator” for purposes of authorization and communication in the case of the principal is the pastor. For all other employees, the “appropriate administrator” is the principal.

4171 ABSENCE FROM SCHOOL

Full-time employees may not be absent from school premises during any school day during school hours except for emergencies, personal illness or accident, personal days, and attendance at professional in-service meetings approved by the appropriate administrator. The latter may include in-service meetings and workshops sponsored by the Archdiocese, workshops and conventions of professional organizations and visits to other educational facilities.

In the event that an administrator plans to attend an out-of-state meeting or is absent from school for an extended period, the pastor and the Department of Catholic Schools must be notified.

4172 ABSENCE DUE TO ILLNESS

Sick leave benefits detailed in 4164 apply to full-time employees, and eligible part-time employees who are absent for personal or family illness.

- .1 **Notification.** All school employees are required to notify the appropriate administrator promptly when they must be absent from work due to personal illness or the illness of a family member. If the duration of absence can be anticipated, they must inform the administrator when they expect to return to work.
- .2 **Medical certification of fitness to return.** Employees who are absent because of illness for thirty (30) or more consecutive days shall submit to the appropriate administrator a statement from a physician certifying that such employee is incapable of assuming his/her responsibilities and when he/she will be capable of returning to work.
- .3 **Family and Medical Leave.** Employees who have completed at least one year of continuous service, and who have worked a minimum of 1,250 hours in the year preceding the need for Family and Medical Leave, are entitled under the Family and Medical Leave Act (FMLA) of 1993 to take up to twelve (12) work weeks in a twelve (12) month calendar year period of unpaid family leave. FMLA leave is permitted: for the birth of a child or the placement with the employee of a child for adoption or foster care; because the employee is needed to care for a family member (child, spouse, or parent) with a serious health condition; or because the employee’s own serious health condition makes the employee unable to do his/her job. During the period of FMLA leave, the employer must retain the employee on the employer’s medical insurance plan and pay the employee’s health care premium. The employer may recoup the health care premium if the employee does not return to work when the FMLA leave expires.

Requests for Family and Medical Leave must be submitted in writing to the appropriate administrator on the appropriate forms provided by the Department of Catholic Schools to local administrators. The written request must be approved by the administrator and by the Department of Catholic Schools.

The written request for Family and Medical Leave must be accompanied by a statement from the employee’s health care provider certifying that such employee is unable to

perform his/her duties because of said medical condition(s). The health care provider statement shall also indicate the date of anticipated return to work. The employee is to promptly notify the appropriate administrator during the leave of absence if there is any change in the anticipated date of return.

It is the employer's responsibility to supply the employee with appropriate forms in a timely manner.

An employee returning to work from a Family and Medical Leave shall submit a written statement from his/her health care provider specifying any restrictions that should apply to the performance of his/her duties.

Where the necessity for the FMLA leave is foreseeable, the employee is required to provide the employer with at least thirty (30) days notice. If unforeseeable circumstances require the leave to begin in less than thirty (30) days, then the notice must be provided as soon as it is practicable.

In cases involving the serious health condition of the employee, or a member of the employee's family, the employee must make reasonable efforts to avoid disruption of the employer's operation.

School teachers are partially exempted because their unpaid leave may be involuntarily extended to the end of a teaching period (e.g., semester) under appropriate circumstances in order to avoid disruption of the continuity in the classroom.

- .4 **Medical disability leave.** Full-time employees who are not eligible for Family and Medical Leave may request a medical disability leave of absence when absence due to illness or injury is expected to extend beyond the duration of earned and accumulated sick leave benefits. When paid sick leave is exhausted, the remainder of the leave shall be without pay.

Paid sick leave benefits will be reduced by the amount of State Disability or Workers' Compensation salary continuation benefits paid to the employee. This integration of sick leave benefits will be made after the employee receives his/her SDI or Workers' Compensation benefit. It is the employee's responsibility to forward to the appropriate administrator a copy of his/her SDI or Workers' Compensation benefit payment. Sick leave payments will cease once the employee exhausts his/her accrued sick leave benefits.

In cases of medical disability leave for the employee's own serious health condition, the provisions of Section 4172.4 concerning written request for leave, health care provider certification, and integration of paid sick leave with State Disability or Workers' Compensation salary continuation benefits apply.

.5 **Medical leave for pregnancy and childbirth.**

- a) Employees on medical leave for pregnancy, childbirth or related medical conditions will be treated the same as employees on leave for other types of temporary medical disabilities (4172.3 and 4172.4). An employee on medical leave for pregnancy is entitled to any fringe benefits to which others with disabilities are entitled, based upon medical conditions. If an employee on a medical leave for pregnancy requests additional leave and she is no longer disabled (i.e., unable to work), but wishes to remain home with her child, the request will be considered a request for an unpaid personal leave. Personal leave cannot be extended beyond the term of the employment agreement.
- b) Requests for paternity leaves or requests for a leave of absence related to adoption of a child shall be considered as requests for Family and Medical Leave (4172.3).

- c) For all medical leaves for pregnancy, childbirth or related medical condition, accrued sick leave will be paid. When such sick leave is exhausted, the remainder of the leave shall be without pay.

- .6 **Extension of Health Insurance While On Medical Leave.** Effective April 1, 1997, all regular employees of the Archdiocese covered under the Archdiocesan health insurance plans (including COBRA) who are on any authorized medical leave of absence shall have their applicable health insurance premium paid for by their employer. Said leave of absence must be authorized in writing as described in 4172.3 and ARG, Section 8, Leaves of Absence.

Extended medical insurance coverage shall commence at the time of the completion of any Family and Medical Leave taken by the employee for his/her own serious health condition, or, if the employee is not eligible for Family and Medical Leave, at the time that the medical disability leave of absence commences.

4173 LEAVES

- .1 **Sick leave.** The annual and accumulated sick leave periods permitted under the terms of the various agreements are detailed in 4164.
- .2 **Personal days with pay.** Full-time employees shall be entitled to three (3) personal days with pay during the school year. These days are to be used for personal or family matters that cannot be dealt with on non-working days and are to be approved by the appropriate administrator. Employees must notify the administrator two (2) school days in advance. Personal days with pay will be deducted from accumulated sick leave days and will be granted only to those who have accumulated sick leave. Ordinarily, personal days will not be approved the day preceding or following a holiday, weekend, or vacation period except for emergencies. Unused personal days may not be accumulated and are non-compensable upon termination.
- .3 **Personal leaves of absence (not family leave).** A full-time employee who has been employed by the school for two years may, at the discretion of the administrator, be eligible for a personal leave of absence without pay. Personal leave cannot extend beyond the term of the employment agreement. All leaves must have prior written approval of the appropriate administrator and the Department of Catholic Schools. The period of time that a full-time employee is on an approved leave of absence is not considered time worked with regard to advancement on the salary scale nor with regard to calculation of pension contributions.
- .4 **Bereavement leave.** At the administrator's discretion, a full-time employee will be granted paid leave to attend the funeral of a family member. This leave is not to be charged against the sick leave allowance.
 - a) For the death of a spouse, child, parent or legal guardian a maximum of seven (7) consecutive days.
 - b) For the death of a sibling, grandchild, daughter-in-law or son-in-law a maximum of five (5) consecutive days.
 - c) For the death of grandparents, mother-in-law or father-in-law, sister-in-law or brother-in-law, step-parent, step-sister or step-brother, aunt, uncle, niece or nephew a maximum of two (2) work days.

- .5 **Family and medical leave.** Policy for family and medical disability leave is generally governed by the Federal Family and Medical Leave Act fully outlined in 4172.3 and ARG, Personnel Records and Policies – Leaves of Absence.

4174 **JURY DUTY**

On receipt of a summons to jury duty, it is the teacher's responsibility to submit a written request to have the duty postponed to a time when school is not in session so that the educational program of the school will not be materially disrupted. A copy of the written request must be filed with the school principal within three (3) days of the first written notice to the teacher of the call to jury duty. If the postponement request is denied by the court or jury commissioner, the teacher shall receive his/her regular salary less the amount received for jury duty.

This benefit does not apply to those who do not request that jury duty either be waived or postponed as set forth above and are required to report for duty. These teachers shall receive their monthly salary less both the amount received for jury duty and the salary paid the substitute teacher who replaced them.

4175 **MILITARY LEAVE**

The California Military and Veterans' Code requires employers to provide employees with a temporary leave of absence without pay while they are engaged in military duty for a period of up to seventeen (17) calendar days per year. This protection extends to employees who are members of the reserve corps of the U.S. armed forces, the National Guard or Naval Militia. Employees who enlist or are drafted are entitled to reinstatement pursuant to Federal Law.

4176 **VACATION, HOLIDAY, PERIODS OF SERVICE**

Holidays and vacation periods for students listed on the school calendar are ordinarily observed by all professional personnel. The designation of the additional required teacher in-service days and days of preparation for the opening and closing of school is left to the discretion of the local administrator and should be specified in the official school calendar.

All teachers are required to observe the school's annual calendar of teacher service days which shall include additional teacher service days for faculty orientation and in-service or curriculum meetings according to local needs and policies. If these occur prior to August 1 in the first year of service, they shall be considered as part of the agreement period.

4200 NON-INSTRUCTIONAL STAFF

4210 CLASSIFIED STAFF: CONDITION OF EMPLOYMENT

4211 RECRUITMENT AND SELECTION

Each school shall have support personnel adequate to accomplish the non-teaching tasks necessary for its operation. A regular school secretary and custodial staff are essential; other non-instructional personnel may be hired according to local need.

The pastor is responsible for hiring staff to provide adequate maintenance and repair of the school plant. The principal has responsibility for hiring a secretary and other auxiliary personnel, subject to applicable provisions of this Handbook.

4212 QUALIFICATIONS

Principals may engage the services of non-instructional personnel to support and assist with educational program and the efficient operations of the school. In addition to the training, ability and certificate requisite for non-instructional positions, all candidates must fulfill the following employment requirements.

.1 **Records.** All principals are required to maintain an updated personnel file for all non-instructional personnel. This file shall include all of the following items:

- Archdiocesan employment application
- Résumé
- Letters of Reference (2 profession and 1 personal) for hires after June 2001
- Live Scan clearance date
- W-4 Form (filed in separate folder, alphabetically)
- I – 9 Form (filed in separate folder, alphabetically)
- Signed Archdiocesan Child Abuse and Harassment Policy 2001 and 2003
- Signed Universal Precaution form
- Signed Acceptable Use Policy (technology).

The above items are completed at the time of hire.

The following records are to be kept on file and updated annually.

- Current pension report
- Employee emergency information
- Current Job Description specific to current job responsibilities
- Current evaluation
- Most recent TB clearance
- Disciplinary document – if any.

4213 DUTIES AND RESPONSIBILITIES

The principal should provide a written job description detailing the major responsibilities of each non-instructional employee. In addition, the principal is responsible for the general orientation, supervision, and evaluation of non-instructional personnel.

.1 **Bus driver.** A school bus driver must hold a valid driver's license of appropriate class and a valid school bus driver's certificate of appropriate class issued by the Department of Motor Vehicles. At all times the bus driver shall strictly observe all requirements of the

Vehicle Code and other applicable laws and regulations.

- .2 **Custodian.** All members of the custodial and maintenance staff are responsible to the principal for the daily operation and maintenance of the building.

The custodian(s) must maintain the school plant in a safe, clean, and attractive condition. This should be accomplished in compliance with all pertinent regulations of the health and safety code.

- .3 **School secretary.** Each school must have a competent school secretary to assist the principal. (See 3211) The school secretary is responsible to the principal for the efficient operation of the main school office and for the performance of all secretarial, clerical, and receptionist duties related to the principal's office.

- .4(E) **Teaching assistants.** A teaching assistant shall be under the immediate supervision and direction of the principal, assistant principal or the classroom teacher. Under such supervision, the teaching assistant may engage in activities that include tutoring of individuals or very small groups of pupils as directed by the teacher and supervision of students in an emergency and at recess periods. Teaching assistants may not replace teachers in the classroom.

The principal is responsible for providing the teaching assistant with an orientation program that should include the school's philosophy and operation, assignment of tasks, range of duties and confidentiality.

- .5 **Food service workers.** All employees preparing, serving or handling food must observe the applicable health and safety code regulations regarding personal cleanliness and sanitary operation methods.

Each food service employee must conform to the requirements for tuberculin examinations stated in 4113 and before initial employment must have a physical examination which gives indication that he/she is not a carrier of or affected with any disease communicable through his/her duties as a food handler.

- .6 **Title I personnel.** Title I personnel are employees of the local public school and are not bound by local Catholic school policies or guidelines.

- .7 **Bookkeeper.** It is strongly recommended that the school hire a bookkeeper whose responsibility is handling tuition, payroll, and the operating budget in accordance with the directives of the principal and the financial policies of the Archdiocese.

4220 NON-INSTRUCTIONAL PERSONNEL: RENEWAL AND TERMINATION OF EMPLOYMENT

4221 SUPERVISION - RE-EMPLOYMENT

The supervision and evaluation of service rendered by non-instructional personnel is the responsibility of the principal. Some of this responsibility may be delegated to other employees, e.g., assistant principal, head custodian, grade or level chairperson assigned to work with teacher aides. However, decisions concerning termination or re-employment are the responsibility of the principal after appropriate consultation with the pastor and the Archdiocesan Human Resources Office, which shall consult with the Archdiocesan Legal Office. The pastor must concur on any decision to terminate.

4230 EMPLOYEE COMPENSATION

4231 **COMPENSATION - LOCAL SCHEDULE**

A local salary schedule should be established for each category of non-instructional personnel hired by the school. It is recommended that periodic cost-of-living adjustments be made. (See Parish Pay Guidelines, Office of Human Resources)

Salary is ordinarily computed by using a current hourly wage and number of service hours per day for the days of the school year plus any additional required service days.

4240 EMPLOYEE BENEFITS

4241 **BENEFITS**

The employment related benefits for religious, principals, and instructional personnel stated in series 4160 apply to all full-time non-instructional personnel hired by the school.

4250 ABSENCE AND LEAVES

4251 **ABSENCE AND LEAVES**

Regulations concerning absence and leaves apply to all full-time non-instructional personnel. To be eligible for the Family and Medical Leave Act (FMLA) the employee must have been employed for at least one year during which he/she worked at least 1,250 hours. (See ARG, Personnel Records and Policies – Leaves of Absence)

4252 **VACATIONS, HOLIDAYS, PERIODS OF SERVICE**

The vacation periods and holidays granted to non-instructional personnel shall be determined by the local administration. Observance of major national holidays should be granted to all employees.

4300 VOLUNTEER STAFF

4310 GENERAL NORMS

4311 VOLUNTEER PROGRAMS

Schools are encouraged to establish a school volunteer program. The principal may delegate responsibility for some parts of the program which must include written guidelines, selection and assignment procedures, orientation of aides, supervision, and evaluation.

4312 VOLUNTEERS

Volunteers are unsalaried auxiliary personnel who donate their time to relieve the teacher of non-teaching tasks, to provide individual attention to children, and to enrich the school program as resource persons.

School volunteers may provide non-instructional support services to teachers and administrators as assigned. These would include (a) clerical and classroom housekeeping tasks, and (b) assistance to professionals in learning centers, in libraries, on yard duty, and during fieldtrips. Under the direct supervision of a teacher, qualified and competent volunteers may assist individual students to master tasks prescribed and previously presented by the teacher.

4320 RECRUITMENT AND SELECTION

4321 PROCEDURES

The principal is to screen and select all volunteers recruited from student and adult populations, and provide general orientation to the school program and policies.

Each volunteer shall be under the direct supervision of a specified staff member who will orient the volunteer to the school facilities, materials, and specific requirements. Volunteers who have regular contact with and/or supervisory responsibility for children must be fingerprinted and cleared by the California Department of Justice before they begin their volunteer activities. Every volunteer shall be required initially to present verification of negative tuberculin test as stated in 4113.1b.

4330 QUALIFICATIONS

4331 GENERAL NORMS

Prospective volunteers should give evidence of the ability as well as the desire to work for and with children. Character references shall be provided by applicants not personally known to the school administrator.

The applicant should be able to communicate in standard English although facility in another language may be an important means of assisting children.

Good health ensuring regular attendance and assistance is a requisite.

4340 INSURANCE

4341 INSURANCE COVERAGE

Volunteer staff members are covered under the Archdiocesan Workers' Compensation Insurance. The same procedures and forms are used for volunteer staff as are used for regular full-time employees.

4400 SPECIAL SERVICE PERSONNEL

4410 PUBLIC EMPLOYEES

4411 **PUBLIC EMPLOYEES: GENERAL NORMS**

It is the policy of the Department of Catholic Schools that Catholic school administrators cooperate fully with public agencies in making available to Catholic school students publicly funded educational, health, and welfare services to which they are entitled. Under some government programs, such services are provided on or near the premises of the nonpublic school by employees of the public school district, the public health service, or other governmental agencies. In securing and scheduling such services, principals will be guided by the general norms on government programs and services. (See 6335 and ARG, Federal Programs)

No Catholic school administrator may assume responsibility for the recruitment, hiring, appointment, or contractual conditions of service for any public employee providing service. Such matters are the exclusive responsibility of the employing public agency, which may, as a matter of legal requirement or administrative discretion, consult the nonpublic school administrator concerning needs of students and other circumstances that affect such decisions.

4412 **ASSIGNMENT OF DUTIES**

- .1 **Specific duties of a public employee.** These duties are determined exclusively by the responsible public agency, which may solicit the advice or recommendation of the nonpublic school principal. As appropriate and agreed upon with the public agency, the principal may include public employees in faculty meetings, in-service days, or other school activities that would enhance the service to the students or rapport with the regular school faculty.
- .2 **Religious activities.** No public employee may provide instruction or supervision for any religious activity.

4413 **SUPERVISION AND EVALUATION**

Supervision and evaluation of public employees is the exclusive responsibility of the employing public agency. The Catholic school principal may respond to specific questions or other specific observations concerning those aspects of the employee's performance that are directly observed, are within the principal's professional competence, and are directly related to the employee's assigned duties

The Catholic school principal does retain the right to insist that counseling or instruction offered by public employees for Catholic school students not be in conflict with the rights of conscience of the students, parents, and sponsors of the school.

4414 **RENEWAL AND TERMINATION OF EMPLOYMENT OR ASSIGNMENTS**

The Catholic school principal must not accept, directly or indirectly, any final responsibility for recommendation or decision to continue, terminate, or change the assignment of a public employee. Through appropriate action under 4412 and 4413 above, the principal can prudently aid the public agency in determining the appropriateness of placement and the quality of performance of the public employee in accordance with the requirements of the law and the needs of the students to be served.

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5100 ELEMENTARY AND SECONDARY STUDENTS

5110 REGISTRATION AND ADMISSION

5111 ARCHDIOCESAN POLICIES AND GUIDELINES

The Department of Catholic Schools and the Superintendent have established general policies and guidelines to be incorporated in local admissions policies.

- .1 **Nondiscriminatory policy.** The schools of the Archdiocese of San Francisco admit students of any race, color, national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the respective schools. These schools do not unlawfully discriminate on the basis of race, color, and national and/or ethnic origin, age, sex or disability in administration of their educational policies, admission policies, scholarship and loan programs, athletic and other school-administered programs.

The schools shall annually publish their own nondiscriminatory policy.

- .2 (E) **Age of admission - Kindergarten.** A student entering kindergarten must be at least five years of age by December 1st. Schools are advised to contact their local public school district to inquire about their policy for the current school year. The date of birth should be verified by a birth certificate and/or a baptismal certificate.
- .3 (E) **Age of admission - First Grade.** The decision to admit any student as an exception to the general age requirement is left to the discretion of the school principal. Acceptance must be based on specific criteria of readiness and performance, and the decision should be made only after consultation with the parents and kindergarten teacher.
- .4 **Conditions of admission.** A student is admitted to a school with the understanding that he/she will be retained in the school until he/she finishes the course, subject to school policies and procedures, unless the student withdraws voluntarily or gives cause for dismissal.

Financial conditions for admission must be in accord with the policies on tuition and fees in Series 3000 of this Handbook.

No student shall be admitted to any Catholic school unless there is a reasonable hope that the student will complete that school's program. In doubtful cases students may be admitted on a probationary basis with dates and criteria of evaluation clearly established in writing. Care should be taken not to admit students with academic or other needs that cannot be met by the school.

- .5 (E) **Policy on class size.** Elementary school classes shall be limited to thirty-five (35) students. This limit may be exceeded only with explicit permission of the Superintendent.
- .6 **Admission priorities.** Since the schools of the Archdiocese are established by the Archdiocesan community as religious schools, preference in admission shall be given to practicing members of the Archdiocesan Catholic community.

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In admitting students, preference may be given to siblings of students already enrolled in the school or to the children of past graduates.

- .6(E) **Admission priorities.** Each school should have a written policy in the Parent/Student Handbook regarding application and acceptance procedures of children into the school community that are in accord with Archdiocesan policy. This policy should include screening processes and indicate personnel involved in determining acceptance of the applicant.

Preference should be given in the following order:

- Catholics active in the parish;
 - registered in parish
 - regular participation, as defined by the parish, in liturgical worship and in the life of the parish
 - regular contribution to the support of the parish
- Catholics active in parishes that do not have a Catholic elementary school;
- Applicants who have siblings already enrolled in the school;
- Non-Catholic applicants on a space available basis.

5112 LOCAL POLICIES AND PROCEDURES

Each Catholic school retains the right to set local registration procedures and admission policies in addition to those in this series, provided they are in accord with other policies and regulations in this Handbook.

The pastor as head of the parish school has final responsibility to approve the general admission policy that shall be established by the local board in accordance with Archdiocesan policies. Ordinarily, preference is given to Catholic children who are members of the parish.

The principal is responsible for registration and admission in accord with procedures approved by the pastor and local board. Each school shall hold a well-publicized formal registration period for new students.

5113 STUDENT PLACEMENT

A student transferring from another school or district may be admitted conditionally as the records indicate until placement can be verified. Transferring students and their parents must have reasons for enrolling consistent with the school's Catholic nature. A deliberate choice for religious instruction and values must be part of that choice.

5114 SPECIAL REQUIREMENTS

Schools shall comply with special requirements relating to admission in accordance with state and federal law.

- .1 **Immunization for first admission.** For unconditional first admission to school in California, each applicant must present documentary evidence that the applicant has been immunized against polio, diphtheria, pertussis, tetanus, rubella, measles, mumps and hepatitis B. All students in the County of San Francisco are required to receive a tuberculin test. It is recommended that students in the Counties of Marin and San Mateo receive a tuberculin test. (See ARG, Health and Health Services)

Exemptions for personal or medical reasons are permissible, but the claims must be in writing. A written statement of a physician to the effect that the immunizations are not considered safe or beneficial to the child or a letter from the parents stating that compliance would be contrary to their beliefs is necessary. (See 5115.1, 5153.1 and ARG, Health and Health Services) Generally, medical exemptions for polio, DTP, measles, mumps, and rubella immunizations are rarely indicated.

- .2 (E) **Health assessment requirements.** The parents of all first grade students are required by law to present to the school within 90 days of entrance a signed certificate/waiver form stating either that the child has received the mandated health assessment within the prior eighteen months or that they claim exemption for religious or personal reasons. (See 5153.1 and ARG, Health and Health Services)
- .3 **Approval for non-immigrant foreign students.** Schools may admit non-immigrant foreign students with a qualifying visa if the school has been approved by the United States Department of Immigration and Customs Enforcement (ICE). The schools under the jurisdiction of the Department of Catholic Schools, Archdiocese of San Francisco were approved January 1, 1968 and renewed July 29, 2003. Students must apply for an I-20 in order to obtain a visa through the Student and Exchange Visitor Program (SEVP). SEVP is an online process administered only through the Department of Catholic Schools.

All procedures for compliance for admission of F-1 students are found in ARG, and must be rigorously followed.

5115 RECORDS AND REPORTS

For admission of a kindergarten or first grade child, parents are required to present (a) the child's birth certificate and/or baptismal certificate (b) evidence of compliance with immunization requirements and (c) the mandated health assessment form.

For admission of older students, parents shall present a baptismal certificate, verification of required immunization, the proper transfer or some appropriate notification from the school previously attended and a copy of the last report card.

- .1 **Permanent student record.** A permanent student record is to be maintained by the school for every student who is admitted to and attends the institution. In addition to the data concerning academic progress and attendance, the records shall include the following:
- legal name of student.
 - place and date of birth.
 - social security number (optional).
 - gender of student.
 - name and address of parent (guardian) of minor student.
 - verification of or exemption from required immunizations.
 - school entrance date.
 - date and place of Baptism, First Eucharist and Confirmation
 - standardized test results

A standard form devised and approved by the Department of Catholic Schools shall be used for the records of elementary school students.

- .2 **Confidential Student Record Files.** Records that schools are required to compile and maintain for stipulated periods of time. These records are to be stored in a separate file from the Cumulative Records. Such records are:
- a) General
 - b) Guidance and Counseling
 - c) Special Education Student Records
 - d) Disciplinary Records
- The Confidential Student Record Files are not transferred with the Cumulative Records unless parent/guardian permission is received (See Appendix 2).
- .3 **Directory information.** Complete directory data should be obtained upon initial registration and should be revised for accuracy by school personnel at the beginning of each school year. Directory information may be released in response to legitimate interest requests and for purposes approved by the school administrator provided notice is given to parents of the categories of information that the school plans to release. Parents must be given the opportunity to request that some information shall not be released without their prior consent (See Appendix 2).
- .4 **Right of parental access to records.** Parents have a right of access to all student records related to their children that are maintained by the school. Schools will fully inform parents of this right. Ordinarily, this will be done at the time of the student's initial enrollment. This notice should also notify parents of the location, local procedure and policies concerning access to student records (See Appendix 2).

In the event the parents are separated or divorced with joint custody of the child, or divorced with the non-custodial parent having visitation rights, both parents are entitled to access of their child's records and information regarding their child's education, medical treatment, and general welfare. Parents and guardians have an "absolute right" to examine a child's records, although only a parent with legal custody can challenge the contents of a record or grant consent to release the documents to a third party. Either parent may grant consent for release of documents if both parents have notified the school that they have agreed to it (See Appendix 2).

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5120 ATTENDANCE AND ABSENCE

5121 ABSENCE FROM SCHOOL

The State of California provides by law for compulsory school attendance by all children between the ages of six and sixteen unless subject to a stated exemption.

The responsibility for compliance with this law belongs to the parents, but the school is obliged to keep and maintain an accurate record of daily attendance for each student.

A written excuse dated and signed by the parent or guardian is required on the day of the student's return following an absence (See 5128.2).

Each school shall establish the local procedures and policies necessary to monitor school attendance and to assure the health and safety of the students. A school may require parents of absent students to call the school on the morning of the student's absence.

- .1 **Medical absence.** Students are legally credited for attendance when time is spent in medical and dental appointments. Verification of such appointments is required from the medical or dental office. Appropriate notations must be made in the attendance register.

- .2 **Excused absences.** In addition to medical absence, students may be absent due to illness, accident, quarantine, or attendance at the funeral services of a member of the student's family.

In such cases of short-term absence, the school staff should assist the student to make up the schoolwork missed. If the illness or accident is such that a long-term absence is indicated, the local public school district should be contacted for home tutoring services after the student's doctor verifies the necessity of a protracted absence.

- .3 **Absence for other reasons** When parents wish to take their child out of school for several days for personal reasons, the principal should discuss the student's progress with the parents and advise them of the effect such an absence would have on the student's schoolwork. The principal is advised to keep on file a record of the recommendation made to the parents at the time the request was submitted. The final decision, however, is the responsibility of the parents.

The school is not under obligation to provide tutoring, make-up work, or special testing schedules for such a period of absence. The principal has final and absolute discretion to determine the conditions and terms governing such absences.

5122 **TARDINESS**

A student is tardy if he/she arrives after the time scheduled by the school for the beginning of the morning or afternoon session. If he/she arrives after morning recess, he/she is marked absent half a day.

A record of all tardiness shall be maintained. In each case, a written excuse from the parent shall be required at the beginning of the next school day. Local procedures should be developed to monitor and regulate incidents of student tardiness (See 5128.1).

5123 **TRUANCY**

If a student is absent without an excuse or if the school has reason to suspect the validity of the excuse, the principal should investigate the situation and apply appropriate remedies.

Any student who is absent from school without a valid excuse more than three days or who is tardy in excess of 30 minutes on each of four days or more in one school year is a truant and can be reported to the attendance office of the local public school district.

A student who has been reported once as a truant and who is absent again from school without valid excuse one or more days, or tardy on one or more days can be reported again as truant to the attendance officer of the local public school district.

A student is considered a habitual truant who has been reported to the attendance office as truant three or more times. The student is then subject to disciplinary action in accord with applicable provisions of this handbook (See 5177.1, 5177.3).

5124 **RELEASE FROM SCHOOL**

A dated written request or an authorization signed by the parent or guardian is required for a student to leave the school before the time of dismissal.

Students may be released to persons other than parents only under conditions specified in this Handbook (See 5124.2, 5161.1).

- .1 **Early dismissal.** The principal may grant early dismissal to a student provided a dated request is made in writing by the parents. These requests will usually be made for

medical and dental appointments, but petitions for other important and appropriate reasons should also be honored.

- .2 **Emergency dismissal.** Emergency dismissals may be made at any time by the principal or designated representative when a serious condition such as sickness, accident, emergency home conditions, etc., warrant it.
 - a) If conditions justify early dismissal, the student shall leave the school under conditions requested by the parents or specified on the emergency card. A student dismissed for illness shall be accompanied by a responsible adult (See 5128.3, 5154.3).
 - b) No student may be dismissed to return to his/her home during the school day, unless school officials are certain that a parent or other adult will be at home to receive him/her.

5125 **EXCLUSION FROM SCHOOL**

Students suffering from communicable diseases are to be excluded from school for at least the minimal period required by health department school exclusion regulations. Any special requirements for re-admission mandated by the health department must be followed (See ARG, Health Services).

5126 **TRANSFER OF STUDENTS**

The transfer of a student to another school is advisable only at the end of a semester. Intra-semester transfers, except for reason of change of residence, are discouraged.

When a student transfers from school without a change of address, special attention should be given to the entry on the Permanent Record as to "reason for transfer."

5127 **TERMINATION OF ENROLLMENT**

A student's enrollment may be terminated for academic or disciplinary reasons according to guidelines and procedures detailed in this Handbook (See 5127.1, 5127.2, 5177.1, 5177.2, 5177.3).

- .1 **Withdrawal for academic reasons.** Certain students may be given a recommended transfer for grounds other than discipline. The following procedures apply to students clearly unable to profit from schoolwork at their present school, by reason of ability or emotional instability.

Written documentation of compliance with the following procedures is to be retained in the confidential file.

- a) There is consultation between teacher(s) and principal as early as possible in the first semester.
- b) Conferences are held with the parents to advise them concerning the possibility of withdrawal for academic reasons and to discuss possible remedial actions and educational alternatives.
- c) Follow-up conferences are held with the parents to evaluate progress of the student.
- d) Every effort is made to assist the parents in finding other schools or agencies with facilities to help the child.
- e) The final decision is made by the principal after consultation with the pastor.

f) Ordinarily, the transfer shall occur only at the end of a semester.

- .2 **Expulsions for academic reasons.** If the parents of a student will not accept a recommended transfer after all the procedures cited in 5127.1 have been completed, the procedures for notification, conferencing, and written documentation shall be followed as in cases for disciplinary expulsion. Procedures for appeal and review cited in 5177.5 apply.
- .3 **Recommended transfer on grounds of parental behavior.** Normally a child is not to be deprived of Catholic education or otherwise penalized for actions of parents. However, the principal may recommend transfer of a student when parents have been persistently and overtly uncooperative with school staff, policies, regulations, or programs, or have interfered in matters of school administration or discipline to the detriment of the school's ability to serve their own or other children. After reasonable effort to elicit the minimum requisite parental cooperation and after appropriate consultation with the pastor, the principal may recommend transfer in accord with the terms and procedures set down in 5127.1 (a-f). Documentation of the basis for this action and of all consultation with the parents on the matter must be retained on file.

If the parents refuse to accept the recommended transfer, the procedures for notification, conferencing, and written documentation shall be followed as in cases for disciplinary expulsion (See 5177.1). Procedures for appeal and review cited in 5177.2 apply.

Code of Christian Conduct shall be published in each school's Parent-Student Handbook.

5128 **REPORTS AND RECORDS**

Each school shall keep an accurate record of applicants, admissions, and attendance and comply with all pertinent regulations of the Department of Catholic Schools and of the Attendance Bureau of the local school district.

- .1 **Record of attendance.** Principals and teachers shall assume responsibility for checking the regular attendance of all students. Accurate up-to-date records for each elementary grade must be maintained in the Daily Attendance Register that is to be filed with permanent records at the end of the school year (See 5122). Secondary schools shall maintain these records according to standard local procedures.

All directions printed at the beginning of the elementary school register must be followed exactly. Special emphasis should be given to the regulations concerning the grouping of names and use of symbols. Only legal names are to be recorded. In each register, the directory information printed on the back pages must be completed for each student, or a class roster must be affixed. In addition to the accurate daily record of absences, the annual summary shall be entered on each student's cumulative record.

- .2 **Verification of absence.** Written excuses, dated and signed by a parent or doctor which verify a student's absence, are to be retained on file until the end of the school year.
- .3 **Emergency information.** A complete and current emergency information record for each student must be on file and readily available. School regulations should require parents to keep the requested information current (See 5128.3).

5129 **SPECIAL REGULATIONS**

- .1 **Married/pregnant students.** While early marriages are to be strongly discouraged, discretionary judgment will remain at the local level concerning whether or not continuing in school is in the best interest of the student(s).

In the instance of student pregnancy, the best interest of the student, parents and school will be considered at the local level. Procedures will be developed for the individual case. Schools will seek to ensure the further academic progress of the student.

- .2 **Part-time employment.** With regard to all minors, permits to work and permits to employ are obtained from the local public school district office or other person/agency designated by the district superintendent. The district may issue special instructions concerning applications for work permits during Christmas vacation. In order to work, qualified students may be granted leave from school one week before Christmas vacation begins.

Schools employing students must obtain the necessary permits and comply with applicable California Child Labor Laws.

5130 PROGRESS

5131 EVALUATION AND GRADING

The school is responsible for evaluation of each student's progress through the continuum of skills or the sequence adopted by the school for each area of the curriculum. A variety of techniques and means should be utilized for placement and diagnosis as well as for demonstration of mastery or level of achievement.

Teacher evaluation of each student's progress must be summarized in the standard grading and reporting system developed and approved by the Department of Catholic Schools.

5132 REPORT TO PARENTS

Schools have the obligation to report student progress to the parents of each child through a regular and established procedure at the end of each academic quarter. More frequent reporting is the option of the individual school or teacher.

- .1 (E) **Report cards.** The Archdiocese of San Francisco report card forms are to be used by all schools. Elementary school reporting procedures must be in accordance with guidelines published annually by the Department of Catholic Schools (See ARG, Student Reporting and Accounting).

A final grade, representing an average of previous report card periods in all required subjects and categories must be recorded annually on the permanent record of all elementary school students according to Department of Catholic Schools directives.

If a student is absent for fifteen (15) or more days during a quarter, report card grades may be withheld unless the work is made up. This decision is left to the discretion of the local administrator.

A duplicate copy of each report card shall be retained on file for one school year.

- .2 (E) **Intervention Report for Special Needs.** Only identified students with special needs in Grades 1-8 will receive a Supplemental Report for Students with Learning Modifications (See Supplemental Report for Students with Learning Modifications).

- .3 (E) **Parent-teacher conferences.** Parent-teacher conferences are ordinarily conducted at the end of the first quarter or first semester (See ARG, Student Reporting and Accounting).

5133 CUMULATIVE RECORDS

The principal of the school is responsible for the collection, maintenance and dissemination of student records and for the education of the staff about student record policies. Administrators shall take particular care to preserve both the integrity and privacy of the required school records. Local procedures must adhere to the Archdiocesan Policy on Student Cumulative Records found in Appendix 2. The forms relating to the guidelines should be duplicated for local use.

- .1 **Retention of records.** A duplicate copy of each report card and conference form should be retained on file at least until the next school year. For local needs and for the purposes of high school placement, it may be advisable to keep them longer (See Appendix 2).

The mandatory permanent student record (permanent cumulative record of achievement and attendance data) must be maintained indefinitely for every student who has been enrolled in the school.

- .2 **Storage of records.** Records must be stored in a locked room or cabinet. Access to the records must be strictly controlled under the supervision of the principal or designated professional and in accordance with the Archdiocesan regulations.

If a parish school closes, the records are to be kept in the parish rectory unless alternative provisions are approved in writing by the Superintendent of Schools. If a private school closes, the Superintendent must be notified concerning the disposition of records. In the case of the consolidation of two or more schools, all records will be transferred to the remaining school after consultation with the Department of Catholic Schools.

5134 ADVANCEMENT

Each school will maintain adequate data and will utilize appropriate evaluation instruments when making decisions regarding the progress of each student. Any decision concerning the placement, acceleration, retention or withdrawal (for academic reasons) of a student must be based on such data together with extensive consultation with appropriate staff and parents. The final responsibility for a student's promotion or retention rests with the principal.

The dates of advancement and grades or levels indicating the course of student progress must be clearly indicated on each cumulative record. A written statement dated and signed by the teacher, should briefly note or explain any deviation from the regular patterns of advancement.

- .1 **Promotion.** Since most schools group children under a grade classification system, advancement of regular progress of students is ordinarily on an annual basis. Annual promotion usually indicates achievement of minimum grade level expectations.
- .2 **Retention.** Each child should be considered individually. Any decision concerning promotion vs. non-promotion must be made after considering all facts related to the child's development (emotional, physical, social as well as intellectual and academic), collected from a wide range of sources throughout the year.

Written documentation of compliance with the following procedures is to be retained in the confidential file.

- a) There is consultation between teachers and principal as early as possible in the first semester.
- b) A conference is held with the parents no later than the beginning of second semester to advise them of the possibility of retention and to discuss possible remedial actions.
- c) Follow-up conferences with the parents are held to evaluate the academic progress of the child.
- d) Evaluations and reports to parents must indicate failure to achieve minimum objectives in at least two basic subjects.

A student shall be retained no more than one year at any given grade or level. Ordinarily, a student should not be retained more than once while in the elementary school.

.3 **Acceleration.** Acceleration of the student should be cautiously granted at the discretion of the principal on the recommendation of the teacher and with the approval of the parents. A gifted child may profit more by an enrichment program than by a double promotion. The child's social and emotional maturity should be seriously evaluated whenever double promotion is considered.

.4 **Record keeping.** The dates of advancement and grades or levels indicating the course of student progress must be clearly indicated on each cumulative record. A written statement, dated and signed by the teacher, should briefly note or explain any deviation from the regular pattern of advancement.

a) (E) **Graduation.** Graduation from elementary school is actually a promotion to the next grade. Promotion is governed by the same criteria as established for other grades (See 5134.1).

b) (E) **Graduation ceremonies.** Graduation from elementary school may be marked by a simple and dignified exercise which gives recognition to the unique value of the Christian education just completed.

An official Archdiocesan diploma shall be presented to each student at the graduation exercises.

c) (S) **Early graduation.** Each school shall determine its own local policy concerning the early graduation of students who have fulfilled the requirements established by the school and mandated by the State of California.

5140 **ACTIVITIES AND SPECIAL REGULATIONS**

5141 **DRESS**

Each school shall establish standards for student dress that will promote cleanliness, health, safety and the development of Christian values.

Long practice has demonstrated the advisability of uniforms especially for elementary school students. In schools where uniforms are prescribed, every effort should be made for reasonable requirements and costs.

Comparable dress codes must be established for both boys and girls.

5142 **ORGANIZATIONS**

The following types of student organizations are recommended: student government organizations (student councils), religious and apostolic organizations, service and scholastic organizations (C.J.S.F., C.S.F., science, dramatics, library, etc. clubs), and other special interest school organizations (athletics, choral, etc.).

Any method of initiation, pastime or amusement with respect to a student organization which causes, or is likely to cause, bodily danger or physical harm, or tends to degrade or disgrace anyone (e.g., hazing), is prohibited (See 5177.3).

5143 **FUNDRAISING AND COLLECTIONS**

Whenever a school engages in a fundraising activity, it must be done in such a way that students do not become promoters of commercial enterprises or carriers of commercial advertising, either directly or indirectly. Students should not be involved in public solicitation, house-to-house selling, or other activities that would jeopardize their safety.

The local board, working with pastor and principal, will establish criteria for a minimum of fundraising activities that will not interfere with the educational program of the student.

All fundraising in a school is subject to the approval of the pastor and principal.

5144 **SOCIAL EVENTS**

Social events should be adequately supervised, adjusted to the level of maturity of the students, limited to avoid conflicts with family or religious obligations of students, and maintained at a reasonable expense. A school must consider itself responsible for the behavior of students at any social event sponsored or sanctioned by the school.

The school should consider the wishes of the parents, as well as the students, in planning social events, especially in matters concerning expenses. Parents should also be fully informed as to the time and place of events, the rules governing them, and the limits of the school's supervision.

At least one member of the faculty must be present during the full time of a school sponsored social event. Additional supervision necessary for the number of student participants must be provided by other staff and adults who are experienced in dealing with students and who will take an active part in supervision. A sufficient number of security officers should be retained if deemed necessary.

- .1 **Outings - service groups.** On one school day each year groups of students rendering significant service to the school or parish as members of a service organization may be permitted to have an outing, e.g., acolytes, choirs, traffic patrols.

Arrangements are subject to the approval of the principal. Regulations pertaining to school field trips apply.

Care should be taken to minimize the number of interruptions by scheduling the outing at a time so as to cause the least inconvenience to teachers and other students.

- .2 **Graduation events.** Graduation expenses and fees should be kept to a reasonable minimum.

One day during the year may be allowed for a senior class outing or an eighth grade picnic. Regulations pertaining to school field trips apply.

- .3 (E) **Mixed parties - dances.** A policy concerning parish/school boy-girl parties or dances should be determined by and for each local site. The policy should reflect common agreement reached after consultation and with the collaboration of those responsible for parish ministry to young people: pastor, school administrators, and youth ministry directors.
- .4 (S) **Prom.** There is a written belief statement on student behavior for proms that applies to the secondary schools (See ARG, Secondary Edition, Policies Pertaining to Secondary Schools).

5145 **RELIGIOUS AND APOSTOLIC ACTIVITIES**

Every Catholic school shall provide students with opportunities for growth in the life of the Church through a variety of liturgical experiences. These opportunities will generally be afforded to the total school community or to class groups. Students may also profit from opportunities for individual service, e.g., tutoring, visiting the sick, etc. However, care must be taken by school and parish administrators to limit service demands made during school hours.

- .1 **Acolytes.** Those appointed to serve regularly scheduled Masses, particularly funeral Masses in the parish church, may be excused from that portion of the morning session necessary for this function.

Parish clergy and principals should take care that absences for this reason should not be so frequent or lengthy as to be detrimental to the good order of the school or the educational needs of individuals.

- .2 **Funerals.** Ordinarily, a student body will not be excused from class for funerals except for special circumstances as determined by the principal. The students of a given class may attend the funeral Mass for a parent/guardian, brother or sister of a classmate when it is offered in the same parish where the school is located. When the Mass is to be said elsewhere, a delegation may be sent at the discretion of the principal.

Individual students may be dismissed to attend the funeral of members of the immediate or extended family according to request.

- .3 **Student Masses.** Special student body Masses may be held on appropriate occasions. If students are encouraged to attend daily Mass, this should not interfere with the length of the school day.

Appropriately planned Masses formally integrated into the total program may be substituted for the period of religious instruction.

5150 HEALTH

5151 **GENERAL**

Principals shall be familiar with the civil laws, Archdiocesan policies and procedures designed to promote the health and well-being of children attending school. It is the responsibility of each principal to develop local procedures in compliance with all laws and directives concerning student health, health services or first aid/emergency care, and to supervise their implementation by school staff.

Administrators should familiarize themselves with the public and private health resources and services of the civic communities in which their schools are located. Whenever possible and advisable these should be utilized to improve school services and referral information (See ARG, Health Services).

Administrators and teachers shall cooperate fully with the county health department in those matters required by state law.

5152 **SCHOOL ENVIRONMENT**

School personnel have responsibility for safeguarding the health of students by providing wholesome physical conditions. This requires the attention of administrator and staff to standards for school safety, hygiene, sanitation, lighting, seating, ventilation, heating, and plumbing.

- .1 **General rule on smoking.** Pursuant to the California Labor Code, no principal shall knowingly or intentionally permit, and no person shall engage in, the smoking of tobacco products in enclosed space at a place of employment. As such, smoking in all enclosed areas of the school is strictly prohibited. This includes prohibiting employees from smoking in any buildings.
- .2 **Rule on smoking for non-employees.** Proactive steps must be taken to prevent smoking by non-employees. This can be done by posting a sign that reads "No Smoking" at each entrance to the building or structure. Where smoking is permitted in certain designated outside areas, the sign should read: "Smoking is prohibited except in designated areas."

In the event that a non-employee begins to smoke in an enclosed area in the building, the individual should be approached and asked to refrain from smoking in the building.

5153 **SCHOOL HEALTH SERVICES**

School staff members are responsible for supervising the health and well-being of the students and for rendering assistance and first aid in emergencies occurring at school or during school-sponsored activities. Parents must be notified of the condition observed or the aid given to their child.

Health records shall be maintained for each student according to procedures and forms of the Department of Catholic Schools (See 5114.1, 5114.2, 5153.3 and ARG, Health Services).

- .1 **Immunization requirements.** Schools shall comply with state laws regarding student immunization.

Schools are required to assist their county health department to implement the health assessment program in the following ways:

- a) Distributing program information provided by the county health department to parents of kindergarten students and first grade registrants;
- b) Reporting the collection of certificates and waivers to the county health department as directed;
- c) Retaining the certificate/waiver in the student's records.

- .2 **Health appraisal.** Teachers should consult health records at the beginning of the school year; they shall be informed concerning any chronic diseases or special health difficulties among students in their classes.

Teachers should know the conduct and appearance signs of children that may indicate health problems. They shall be acquainted with procedures for follow-up required by local school policy. Uncommon or severe symptoms of physical or emotional problems shall be reported to the principal or designated official for consultation and referral.

Teachers should be alert to the early signs of communicable diseases, refer students exhibiting these symptoms to the designated official and relay exposure notices to the parents of other children, as necessary. Teachers or other designated staff members must verify readmission requirements upon a student's return from an absence due to communicable disease.

The school staff shall cooperate with the local health office in the prevention and control of communicable diseases.

- .3 **Screening - Vision, Hearing and Scoliosis.** It is strongly recommended that each school conduct periodic vision screening. It is advisable to test all children for visual acuity upon entry to school and then every three years until completion of the eighth grade.

Records of these tests should be maintained in the student's health file.

It is recommended, when possible, that every child receive a hearing screening test at regular intervals.

It is further recommended that every child receive a scoliosis screening between grades five and eight.

- .4 **Physical examinations.** In addition to the state-mandated health assessment for first grade students, schools may require new applicants at other grade levels to present a recent health assessment form completed by a physician.

- .5 **Physical education and athletics.** Schools shall establish and implement local procedures to ascertain that students enrolled in physical education classes are physically fit to participate in normal activities.

Annually, before engaging in any athletic activity, each school athlete must present a parental permission slip. This must indicate that the student has clearance to participate in the training and the competitive activities of the specific sport(s) chosen. Coaches and school officials shall strictly enforce this regulation.

- .6 **Non-accidental injuries.** Evidence of apparent non-accidental injury, suspected neglect or abuse of a child observed by school staff shall be reported to proper authorities (See 1312.2, 1312.3).

5154 **EMERGENCY CARE AND FIRST AID – Model Emergency Plan for Schools**

Every school shall have a written plan for emergencies. Provisions shall be made to implement the procedures, to fully inform parents, and to inform and prepare all staff members.

In cases of accident or sudden sickness, the principal or his/her delegate is responsible for giving appropriate immediate care, notifying parents/guardians, sending students home, and guiding parents to sources of treatment, when necessary or requested.

School staff rendering first aid, with or without parental consent, will be held to that reasonable and ordinary standard of care and diligence which is ordinarily possessed by others in their profession.

- .1 **Personnel.** At least one permanent staff member should be qualified to administer first aid.
- .2 **Facilities and supplies.** Facilities and supplies required in every school include:
 - a) First aid kit for field trips;
 - b) A kit for school emergencies;
 - c) Rubber gloves for all teachers and supervisors;
 - d) Written instruction for emergencies posted in all classrooms;
 - e) Natural disaster emergency supplies (see Model Emergency Plan for Schools).
- .3 **Emergency information.** The principal shall have a readily accessible file containing emergency care information for each student. Each school must use the Archdiocesan form, developed and approved by the Department of Catholic Schools (See Model Emergency Plan for Schools).

5155

SPECIAL CONCERNS AND REGULATIONS

- .1 **Drugs.** Teachers shall refer all known cases of alcohol/drug distribution, use or abuse to the proper school official(s).
- .2 **Medications.** The parent of any student on a continuing regimen for a non-episodic condition shall inform the designated school official and name the supervising physician. If necessary, with parental consent, the official or school nurse may communicate with the physician regarding possible effects on the student's behavior at school and special emergency procedures.

School personnel shall not administer any medication to students unless specifically given written permission by the parent and physician (prescription labeled container).

It is strongly recommended that school personnel not assume responsibilities of administering or acting as custodian of prescription medicine of students. This should remain a parental responsibility especially with elementary school students. However, the principal has discretion in this matter in the case of extreme or unusual conditions or severe hardship. Where the school makes the exception allowed above, caution requires the following procedures.

- a) The school nurse or school official should receive and release the medication. Only a small amount clearly labeled with the student's name should be retained and that in a locked safe place.
- b) The school must receive a written statement from the physician detailing the method, amount, time by which the medication is to be taken (See ARG, Universal Medical Information/Emergency Contact, Release and Consent Form. Medical Release and Consent to Treatment of Child form).
- c) The school must receive a written request for the assistance from the parent and a statement that the school is not obliged to remind or caution the student.

- .3 **Injections.** School personnel will not administer injections. Should an injection appear to be necessary, the school will contact parents first, then other people listed on the emergency list. Should no one be available, the student will be taken to the nearest emergency hospital at the expense of the parents.

5160 WELFARE AND SAFETY

5161 SUPERVISION OF STUDENTS

The principal is responsible for providing adequate supervision of students during the entire time they are on school busses and school premises or engaged in school-sponsored activities. All school staff share this responsibility with the principal. Effective supervision of students during the recess and lunch period is required so that discipline may be maintained and student conduct regulated. Ineffective supervision as well as total lack of supervision, may constitute lack of ordinary care required by those responsible. Students are never to be left unsupervised in a classroom.

Students are never to be sent on errands outside the school campus. They may leave the school grounds or be released from school only at the written request of the parent.

All students transported by the school to school-sponsored events shall have the written permission of the parent.

- .1 **Custody of minors.** Organizations, agencies, or persons may assume custody of a student on school premises during school hours or immediately before or after school only on the explicit authorization of the parent. The sole exception to this rule is a peace officer who may remove a student from school premises without prior consent of the parents or school authorities when it is necessary to arrest the juvenile or to require immediate emergency assistance from the student in an investigation. The principal must verify the identity and the official capacity of the peace officer, the authority under which he/she acts and the reason for the arrest or assistance. Notice of the action must be immediately conveyed to the parents.
- .2 **Parent custody.** In order to cooperate with child and family needs, the school should be informed of custody arrangements. As a matter of policy, the school should have a certified copy of the decree of dissolution that defines custody rights of the parents, i.e., joint legal custody or sole legal custody; joint physical custody or sole physical custody.

The non-custodial parent with visitation rights is entitled to access to the records and information of the child including medical, dental, and school records (See 5115.3, ARG, Student Reporting and Accounting).

5162 STUDENT RIGHTS AND RESPONSIBILITIES

- .1 Students have the right to be free from harassment.

Catholic teaching and practice affirm the Christian dignity of every person. Harassment is unacceptable conduct that is severe, pervasive and deliberate. Harassment occurs when an individual is subjected to treatment in a school environment which is hostile, offensive, or intimidating because of the individual's race, religion, creed, color, age, national origin, ancestry, physical or mental disability, medical condition, or sex. Harassment of a student by any other student is prohibited and will not be tolerated. It is the policy of the Archdiocese to provide an educational environment in which all students are treated with respect and dignity (See Appendix 4, pages 9 - 11).

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment can be directed toward a student under conditions such as the following:

- a) Verbal Harassment: Sexually demeaning comments, sexual statements, questions, slurs, jokes, anecdotes, or epithets.
 - b) Written Harassment: Suggestive or obscene letters, notes, or invitations.
 - c) Physical Harassment: Unkind, immoral and/or unlawful physical touching, contact, assault, deliberate impeding or blocking movements, or any intimidating interference with normal study or movement.
 - d) Visual Harassment: Leering, gesture, display of sexually suggestive objects or pictures, cartoons, or posters.
- .2 Lockers are school property and should be maintained by school authorities to protect the safety of all. A student assigned a locker has exclusive use but not proprietary rights versus the school. Schools should publish a locker policy which states the right of inspection and reserves the right to search any locker on suspicion of a threat to the health, welfare and safety of the school.

School principals or designated officials have the right and duty to protect the health, welfare and safety of students against alcohol and drugs, weapons, and other contraband materials. It is necessary that a search be reasonable and related to the school official's duties.

5163 **INSURANCE**

- .1 **Student accident insurance.** All students must be enrolled in the student accident insurance program with the insurance carrier chosen by the Archdiocese. This program reimburses limited medical costs due to accidental bodily injury to a student while engaging in the activities outlined in the policy. Information concerning claims, premiums and supplementary coverage is published annually by the Department of Catholic Schools (See ARG, Insurance for Employees and Students).
- .2 **Insurance premiums.** Parents are expected to pay annually the stipulated student accident insurance fee for each child. These premiums are to be collected from each student by the first week of the fall semester and forwarded directly to the Department of Catholic Schools.
- .3 **Student accident reports.** Regardless of any medical claims filed, administrators shall forward Report of Accident forms to the Archdiocesan liability insurance administrator concerning accidents of a serious nature occurring during the school day, on school premises, or under direct school supervision. Injuries involving hospitalization should be reported immediately; other reports should be made within three days of the injury (See ARG, Insurance for Employees and Students).

5164 **SCHOOL SAFETY**

Principals shall be familiar with the civil laws, Archdiocesan directives and recommended practices designed to promote the safety and welfare of children attending school. It is the responsibility of each principal to develop local procedures in compliance with all laws and

directives insuring the safety of all persons while under school jurisdiction or on school property, and to supervise their implementation by school staff.

An annual inspection of the physical plant should be done at the end of each school year making sure there are no unsafe conditions in or outside of the building.

- .1 **Safety committee.** It is recommended that each school establish a safety committee from the teaching staff and parent-teacher association to provide for in-service training of staff personnel regarding safety and related matters.
- .2 **Building supervision.** Access to the school building should be arranged so that no stranger may enter the building without passing an office or similar control point. A policy stating that all visitors must report to the school office should be conspicuously posted. Authorized visitors should be required to carry, and show upon request, an identifiable pass issued by the school office. Doors in remote parts of the school should be locked from the outside during school hours, but should be easily opened from the inside in case of an emergency. However, if a school has several entrances which are kept locked, signs indicating the proper entrance should be displayed so that legitimate visitors will have no difficulty entering the building. Key school personnel should carry cell phones to ensure a prompt response to problems.
- .3 **Traffic safety.** A plan for protecting students walking to and from school should be developed by each school. Where the city or town provides crossing guards, the school should cooperate with them in planning dismissal schedules and advise them of changes.

Wherever students come to school by bus, a plan for entering and leaving busses should be established to insure safety and avoid disruption of traffic. Regular drills for evacuating busses in an emergency should be held. Secondary schools that have a number of students driving to school should carefully control traffic in and around school parking areas.

Playground areas should be properly supervised and sufficiently enclosed to prevent students from straying into streets.

A plan including provisions and places for dropping off and picking up students should be provided to all families upon registration. The plan shall be monitored regularly.

- .4 **Traffic patrols.** The organization of school safety patrols sponsored by the police or sheriff's department is encouraged as a valuable aid to safety on and around the school premises. A competent staff moderator must supervise the students and determine the rotation of assignments.

A student must be at least 10 years old or enrolled at the fifth grade to be a member of the patrol. The choice of school safety patrol members is a matter of local discretion. Nevertheless, eligibility requirements must be job-related. Members are expected to conform to regulations established by the sponsoring agency.

- .5 **Fire safety.** Each school shall have a dependable and operative fire warning system meeting the California uniform fire code signal specifications. The principal or person in charge shall be responsible for testing the system monthly. All school personnel must be clearly instructed on the alarm system and how to activate it.

Each school bus must have the required fire extinguishers. Extinguishers placed in kitchens, science labs and other school areas should be checked regularly.

- .6 **Eye protective devices.** Industrial quality eye protective devices must be worn in courses when an individual is engaged in or observing an activity or using substances likely to cause injury to the eyes. Hazardous substances would include chemicals which are flammable, toxic, corrosive to living tissue, irritating, or strongly sensitizing.

5165 **EMERGENCY DRILLS AND PROCEDURES**

It is the responsibility of the principal of each school to develop written emergency procedure plans which shall be reviewed at least annually and revised as needed. Staff and students must be instructed accordingly at the beginning of every school year.

Fire, earthquake and emergency drills shall be in conformity with Archdiocesan regulations and civil code requirements (See ARG, School Safety Plans for Disaster, Emergency and Violence & Model Emergency Plan for Schools).

- .1 **Fire drills.** One or more fire drills shall be conducted during the first week of school until proficiency is attained and at least once a month thereafter. A record shall be kept in the principal's office of the date and hour of each fire drill. Post evacuation routes in all classrooms.

Schools shall cooperate with local fire officials who visit the schools to conduct drills.

- .2 **Earthquake drills.** One or more earthquake drills shall be conducted within the first two weeks of school. Children shall be taught "Duck and Cover" techniques as well as evacuation of the building and outdoor earthquake safety techniques. Post evacuation routes in all classrooms.

- .3 **Threat of violence.** Any and all student threats to inflict serious harm to self or others must be taken seriously (See further details in the Crisis Response Manual).

When school personnel become aware of a threat, the following procedure is to be implemented:

- a) Whoever hears or becomes aware of any threat made by a student should immediately report it to the principal and then call the Superintendent.
 - b) The school will immediately notify the police when the threat is judged potentially valid.
 - c) The student who has made the threat should be kept in the school office under supervision until the police arrive.
 - d) The parent/guardian of any student who has made the threat should be notified immediately.
 - e) Any adult or parent/guardian of any students who have been verbally mentioned as potential victims or listed in writing as potential victims should be notified immediately.
 - f) The student who has made the threat should be suspended and not be considered for re-admission to school until a final decision is made regarding his/her continuance in school.
- .4 **Bomb threat.** When a bomb threat is received, the primary concern of the principal must be the safety of students and employees in the building.

Immediately upon receiving a bomb threat, the following procedure is to be implemented:

- a) The police or sheriff is called. Police officers are instructed to respond to such calls without the use of sirens or red lights.
- b) During the bomb threat, the decision to hold a fire drill or to take other action shall be made by the principal in consultation with the fire and police officials.
- c) If the building is to be evacuated, fire drill procedures are followed, and the students remain at the designated areas until the building is declared safe.
- d) Wait for the police to arrive before a search is conducted. If a suspicious package, box or device is located and suspected of being the bomb, do not touch or move it. It will be the responsibility of the police to remove or deactivate it. After its removal, students and staff may return to class.
- e) If, after an extensive search, no suspected bomb is found, the decision of whether or not to permit students and staff to re-enter the building must be made. This is the principal's decision, tempered by the advice of the police authorities.

5170 DISCIPLINE

5171 CATHOLIC SCHOOL DISCIPLINE

Discipline in the Catholic school is an aspect of moral guidance and refers to those reasonable controls which promote the individual student's development and self discipline, and a Christian environment in which the rights and responsibilities of students and teachers are recognized and upheld (See Appendix 12, Code of Christian Conduct).

Guidelines for discipline policies are as follows:

- a) A primary consideration in all disciplinary decisions is the obligation of the school to maintain an acceptable learning environment and a safe place for students.
- b) Fostering the moral growth of the student in a constructive manner should be a fundamental consideration in all disciplinary matters.
- c) Parents should be involved early in any disciplinary action.
- d) Reasonable disciplinary rules and regulations should be discussed openly and in depth with the entire school community.
- e) Disciplinary action should be corrective rather than punitive, with emphasis on developing within the student responsibility for his/her own conduct.
- f) Consideration should be given to the desirability of guidance and counseling or referral for psychological evaluation of the student with recurring and serious problems.

5172 SCHOOL DISCIPLINE POLICY

Each school must develop its own policies and procedures concerning disciplinary action consistent with Archdiocesan policies and procedures. Administrators are encouraged to work with parents and teachers in this matter. These policies should be consistent with the overall philosophy and goals of the school serving the Christian community and stem from a loving, accepting attitude toward the child as a person of dignity (See 5171).

These policies shall be written, published, and promulgated to students, parents, and faculty. They should be reviewed annually and upon admittance of new students to the school.

- .1 **School and class regulations.** Rules and regulations must be reasonable.
- .2 **Responsibilities of students.** It is the responsibility of the student:
 - to comply with the rules of the school;
 - to pursue the prescribed course of study;
 - to respect and respond to the authority of the teacher and other school personnel;
 - to arrive at school on time;
 - to be alert and responsive to directions;
 - to be courteous to other students and staff members;
 - to respect the rights and property of others;
 - to respect school property.
- .3 **Responsibilities of the teacher.** It is the responsibility of the teacher:
 - to enforce the policies of the school in maintaining control;
 - to practice preventive discipline through well-prepared classes;
 - to set up standards for classroom routine and behavior and to make such standards known to students and parents;
 - to provide and maintain the best possible school environment for learning;
 - to maintain classroom control adequate for the pursuit of the course of study by each child;
 - to deal with all minor disciplinary problems;
 - to work closely with parents and the principal on individual student problems;
 - to instruct students concerning responsibilities and privileges in the classroom, on the school grounds and on the way to and from school;
 - to correct students whose acts or behavior are not suitable.
- .4 **Responsibilities of the administrator.** It is the responsibility of the administrator:
 - to provide instruction in the principles of behavior and good citizenship;
 - to lead in developing and establishing school rules within the limits of established policy and to make such rules known to students, parents, and staff members;
 - to support staff members in establishing and maintaining adequate student control;
 - to deal with unusual cases of misconduct;
 - to notify parents promptly when referrals of a serious nature are made;
 - to refer student problems to the proper outside agency as needed;
 - to keep records of all discipline problems referred to the principal by teachers or other staff and keep parents and staff informed of action taken.

5173 **DISCIPLINARY PROCEDURES**

When a student is repeatedly disruptive of others, the school staff must consider factors such as the student's physical and emotional well-being, the student's learning style and needs, his/her home environment, and the classroom environment including the relationship between the teacher and student, between the student and other class members, and the teacher's presentation and teaching style.

- .1 **Approved disciplinary measures and sanctions.** Following are some approved disciplinary measures:
 - conference with student
 - conference with parents
 - assignment of special tasks
 - denial of privileges

- detention
- probation
- suspension
- expulsion

These procedures must be used in accordance with Archdiocesan and school policies.

.2 Disapproved disciplinary measures. Disciplinary measures must not inflict bodily harm, subject the student to ridicule, or use punishment for punishment's sake. The following actions are explicitly forbidden:

- corporal punishment, including excessive physical activity;
- personal indignities and/or public humiliation such as pulling hair, pulling ears, sarcasm, ridicule, nagging, etc.;
- sending a student outside the classroom where student will not be supervised;
- indiscriminate punishment of all students in a class for the disruptive conduct of one;
- sending the student home without the knowledge of the parents;
- suspension or expulsion, unless procedures outlined in this section are followed;
- fines when there has been no destruction of property;
- lowering academic grades because of conduct.

5174 **DETENTION**

A student may be detained after the daily school session for violation of various class and school regulations according to the school's detention policy.

The guidelines for detention are as follows:

- The length of detention should not be excessive and must be properly supervised. Detention should normally not exceed thirty minutes for elementary school students nor the length of a class period for secondary students.
- Parents shall be informed of the detention and the contributing cause.
- When detention after school would cause serious transportation difficulties, detention should take place only when parents have been given adequate advance notice.
- Consideration should be given to the effect that a student's detention might have on persons outside the school. If a student has a job, business or medical appointment, etc. that will be affected by the detention, he/she should at least be allowed to contact the third party.

5175 **PROBATION**

A student may be placed on probation for a relatively serious offense or for continued misconduct after a warning, when the misconduct does not require more serious action.

Procedures and guidelines are as follows:

- A formal probation must be approved by the principal.
- A conference with parents, student, and school official shall be held.
- When a student has been placed on probation, the parents or guardian shall be informed in writing of the reason for the probation, the length of the probationary period, and the conditions under which the probation will be lifted.

- d) Written record of student probation shall be kept for reference should more serious action be necessary later.
- e) Effort should be made to assist the student through constructive counseling in order to forestall further sanctions.

5176 **SUSPENSION**

A student may be placed on suspension for serious misconduct, on campus or off campus during school related activities, or for continued misconduct after having been placed on probation.

Official suspension may assume various forms such as:

- a) The student may attend class but lose the right to participate in any school activity on or off campus.
- b) The student may be suspended from a particular class and required to report to a specific place on campus during that time.
- c) In unusual cases, a student may be sent home for the entire period of suspension provided that student is assigned academic work to make up the loss of class time.

In all cases the principal must prudently decide on the most efficacious and appropriate terms of suspension.

.1 Procedures for suspension:

- a) Ordinarily the student shall be given oral or written notice of the charges against him/her, and a fair opportunity to present his/her side of the story. However, in exceptional cases the principal may suspend a student without affording the student an opportunity for a conference if an emergency situation exists. An emergency situation is defined as a situation determined by the principal to constitute a clear and present danger to the lives, safety or health of students or school personnel. In the event of such an emergency suspension, requirements as to notice, hearing, and the necessity of keeping a complete written record must be followed as soon as is practical after the emergency condition dissipates.
- b) The gravity of a suspension requires that notice shall be given to the parents by telephone, or other appropriate method within a reasonable time, followed by a written notice signed by the principal.
- c) A conference with the parents, student and appropriate school staff shall be arranged. In a parish school, the pastor must be notified of the conference and given the opportunity to attend.
- d) A written form of suspension must be signed by the parents and student. On this form the exact length of the suspension period shall be specified and the reason for the suspension clearly noted as well as the behavior modification necessary for reinstatement.
- e) The principal is required to maintain dated documentation of the facts, procedures, and parent conference.

.2 Guidelines.

- a) Suspension must be approved by the principal.

- b) Since the grounds for suspension ordinarily differ only in degree from the grounds for expulsion, the possibility of expulsion or a recommended transfer for continued or repeated misconduct must be clearly stated to student and parents (See 5177.3, 5177.4).
- c) The length of any suspension is left to the discretion of the principal in accord with the nature of the conduct and all circumstances. A student must be afforded an opportunity to do make-up work, including tests.

5177 **EXPULSION FOR DISCIPLINARY REASONS**

A student may be expelled from school for misconduct of a very serious nature calling for immediate dismissal without suspension, or for a repetition of conduct for which the student has been suspended one or more times. Expulsion, the permanent termination of a student's enrollment, is a sanction that should be invoked rarely, as a last resort for clear and serious causes.

.1 Procedure for disciplinary expulsion.

- a) With the exception of the most serious moral situations, the steps listed below must be followed, and the school should take special care that each step is documented by written communication between the school and family. Without written confirmation, many misunderstandings can occur which become extremely troublesome if the school ultimately determines that expulsion is necessary.

Parents will be informed by letter when the following steps are taken:

- probation;
 - conference(s) with parents, student, teacher and principal;
 - suspension or suspensions;
 - conference(s) with parents, student, teacher and principal;
 - expulsion.
- b) In parish schools, the pastor must be apprised of the circumstances of any impending decision to expel a student.
 - c) The parents should be given a written notice of the offense and invited to a conference with the student, school personnel and principal. In parish schools, the local pastor should be advised of the scheduled conference and should be invited to attend.
 - d) The principal shall properly document all expulsion cases including grounds, evidence, record of conferences and final notice.
 - e) The Superintendent shall be notified concerning any expulsion immediately, and in writing. If requested, all documentation of the case on file in the school must be made available to the Superintendent.
 - f) Documents regarding disciplinary matters involving serious moral turpitude, the disciplinary files shall be retained for a period of 10 years after graduation from secondary school and 20 years after graduation from elementary school.

.2 Guidelines.

- a) The final decision to expel a student rests with the principal and, in parish schools, with the knowledge and consent of the pastor.
- b) Full credit shall be given for all work accomplished by the student prior to the time of expulsion.
- c) A severance of attendance report shall be made as requested to the county school attendance office.
- d) Only in exceptional cases will expulsion be allowed when the student is in the eighth or twelfth grade and has been enrolled in the school for three or more years.
- e) Expulsion or recommended transfers may be made only at the end of a semester except for the most urgent reasons.
- f) Tuition reimbursement guidelines must be clearly outlined.

.3 **Grounds for expulsion.** Grounds for expulsion are not to be applied automatically. There are, nevertheless, acts which constitute good cause for suspension or expulsion from school when the conduct is committed by a student while under the jurisdiction of the school or when the conduct is directly related to school activity or school attendance. Among these offenses are the following:

- a) Actions gravely detrimental to the moral and spiritual welfare of other students;
- b) Incurable or disruptive behavior which impedes the progress of the rest of the class;
- c) Assault, battery, or any threat of force or violence directed toward any school personnel, students, or other persons on school property or during school related activities;
- d) Habitual or persistent violation of school regulations;
- e) Use, sale, distribution or possession of narcotics, controlled substances, or alcoholic beverages (See 5177.4);
- f) Use or possession of firearms or other potentially harmful object or weapons;
- g) Gang-related conduct or activity. Gang-related conduct or activity includes, but is not limited to, symbols, graffiti, apparel, colors, hazing/initiations, and hand signals commonly associated with gangs;
- h) Theft, extortion, arson;
- i) Habitual truancy (See 5123);
- j) Malicious damage or destruction of real or personal property at school;
- k) Hazing (See 5142.1);
- l) Violation of Student-to-Student Harassment Policy (See Appendix 4, page 9);
- m) Violation of the Code of Christian Conduct (See Appendix 12).

In regard to offenses which take place off school premises and which constitute grounds for expulsion, the school must have evidence of the offense and establish its relationship with school discipline and the welfare of students (See ARG, Appendices 4 and 12).

- .4 **Grounds for expulsion - Alcohol and drug abuse.** The promotion and the safeguarding of student health (physically, mentally and emotionally) are a concern to our schools. The use, misuse and/or abuse of alcohol, drugs and hazardous substances cause grave problems in the areas of student health of student stability. Many incidents of scholastic failure, school dropout, violence, tension, and suicide can be attributed to alcohol and drug abuse.

Therefore, the following general school policy is set forth:

- a) Possessing, selling, giving away, using, or being under the influence of alcohol and drugs and/or hazardous substances on the campus, at school functions, or at a time and place that directly involves the school or its welfare, render a student liable to expulsion (See 5177.1, 5177.3).
 - b) Students who are known to be alcohol or drug-users (known by their reputation or by their own self-admission) should be counseled individually and every effort should be made to work with them through the school. Whenever possible, the parents should be brought into the matter and, if necessary, referrals should be made to medical doctors, psychiatrists, psychologists, and/or rehabilitation agencies. Assistance should be sought from the Police Juvenile Bureau and the Narcotics Bureau whenever such assistance would prove helpful or useful to the school, students, or parents.
- .5 **Procedure for appeal and review of disciplinary action.** If parents appeal to the Superintendent for review of any disciplinary action or expulsion for any reason, the Superintendent normally will solicit from the parents, the principal, and where appropriate, the pastor, a written summary of the issues together with all supporting documentation. After reviewing the documentation and, when necessary, conferring with the parties to the disputed action, the Superintendent will only determine whether the school's action is in accord with applicable Archdiocesan policies and regulations and within the authority and discretion of the local administration.

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6110 GOALS AND PROGRAMS

6111 GOALS - GENERAL

The philosophy and educational principles that underlie the education offered by the schools of the Archdiocese of San Francisco should reflect a balance and priority among the diverse goals of the Catholic school: religious, moral, intellectual, social, cultural, personal, and physical.

6112 PROGRAMS AND OBJECTIVES - LOCAL

It is the responsibility of the principal of each school to lead the staff to develop a school philosophy and objectives adapted to the individual school population and in light of the needs of the community served.

To implement the school philosophy and objectives, the principal shall lead the staff in the development and coordination of the local educational program within the guidelines established and published by the Department of Catholic Schools. The program will provide students with the opportunity to develop a global perspective. It will emphasize in an on-going and interdisciplinary manner, those values, concepts and skills that will prepare students to participate as mature Christians in a world of diversity, technology, and interdependency.

Teacher applicants shall be informed concerning the school philosophy as well as the program. Through discussion the principal shall ascertain that an applicant is prepared to serve within this mode of Catholic education.

Parents shall be made cognizant of the philosophy and program of the school as they apply for the admission of a child. They should understand that enrollment constitutes agreement that the child be taught according to the philosophy and program of the school.

6113 ACCREDITATION

Every six years, all elementary and secondary schools undergo the self-evaluation process for accreditation from the joint efforts of the Western Catholic Educational Association of Schools and Colleges (WCEA) and Western Association of Schools and Colleges (WASC). The elementary school protocol is *Process for School Improvement* and the secondary protocol is *Focus on Learning*.

6120 FAITH FORMATION AND RELIGIOUS INSTRUCTION

6121 GENERAL PROVISIONS

The educational mission of the Church and the reasonable expectations of our client parents both require that the Catholic school be distinguished by an atmosphere and a formal program which relate religious belief and practice, constructively and integrally, with the normal development and education of children. The religious character and goals of the school should be clearly reflected in the statement of school philosophy (See 6111, 6112), with specific reference to authoritative documents such as the Pastoral Letter "To Teach as Jesus Did," "The Religious Dimension of Education in a Catholic School," "The General Directory for Catechesis," "The National Directory for Catechesis," and "The Catechism of the Catholic Church."

- .1 **Catholic Identity.** The Catholic identity of a school is characterized by at least four essential and observable elements:
 - a) An educational community of students, faculty, staff and parents inspired by the Christian message and life;
 - b) A continuing dedication to growth in human knowledge in light of Catholic faith;
 - c) Fidelity to the Christian Message, the Tradition and the magisterium of the Church; and
 - d) A commitment to the service of the People of God and the human family.

- .2 **Religious Symbols and Daily Prayer.** "From the first moment that a student sets foot in a Catholic school, he or she ought to have the impression of entering a new environment, one illuminated by the light of faith...an environment permeated with the Gospel spirit of love and freedom." ("The Religious Dimension of Education in a Catholic School")

The Holy Scripture should be enthroned and open in each classroom. A crucifix or icon of Christ should be displayed. Catholic belief in the communion of saints and of Mary as Mother of God and Mother of the Church should be expressed in pictures or statues. These images should be clean, located where they can be seen and should change according to the liturgical seasons of the year.

During each school day some time shall be given to prayer. The school day should begin and end with group prayer, and a variety of prayer forms shall be used.

Pupils shall learn and be able to recite the formula of familiar prayers commonly used by Catholics and at the age level identified in the Archdiocesan Curriculum and found in the religion textbooks.

- .3 **The celebration of the Eucharist and other liturgies.** Celebration of holy days, significant feast days or holidays (e.g., parish/school patronal feast, Thanksgiving, Ash Wednesday, Lenten and Advent celebrations) through a variety of liturgical experiences is encouraged (See 5145, 5145.2, 5145.3). These liturgies should be planned according to the vision of the "Directory for Masses with Children."

Student attendance at funerals is permitted only according to regulations in this Handbook (See 5145.1, 5145.2).

- .4 **Student Retreats.** Schools are encouraged to provide a retreat for students prior to the reception of First Communion, Confirmation, or graduation.

High schools are encouraged to provide a retreat program according to the needs and capacities of the students at varying grade levels and stages of religious development.

Planning of, and participation in, overnight or off-campus retreats are subject to the same regulations as field trips (See all of 6226).

- .5(E) **Parent collaboration.** The paramount rights and obligations of the parents should be clearly reflected in the faith formation processes of the school, which should make some formal provision for each of the following elements:

- e) orientation of the parents to the philosophy, objectives, methods, etc., of the school adopted program;

- f) educational program for the parents, particularly in such areas as preparation for sacraments and family life education;
- g) direct involvement of the parents in the instruction of their children, especially in liturgical, sacramental and family life.

6122

INSTRUCTIONAL PROGRAM

Religion is the most important subject in the Catholic school curriculum. Therefore, the primary professional responsibility of the school staff is to implement the provisions that follows.

- .1 **General policy.** Regular religious instruction shall be an integral part of the educational program for all students at all grade levels and given priority in the day.
- .2(E)**Textbooks.** Only the programs approved by the Archbishop and the Department of Catholic Schools may be used as basic in the elementary schools of the Archdiocese. Other materials and textbooks may be used as supplementary resources in accordance with the general curriculum policy of the school and the Archdiocese. Because of variations among series in grade-placement of subject matter, methodology, and other important factors, schools are required to use the same series in Grades K through 6. It is highly recommended that the same series be used in Grades K through 8 if the textbook company has a sequential series.
- .3(E)**Curriculum development.** The textbook series shall be selected in accordance with a school policy developed by the principal in close consultation with the faculty and parish clergy. To assure the achievement of the basic objectives, it is important that there be a unified, articulated program and a consistent methodology clearly agreed upon by all members of the school staff. It is assumed that there will be appropriate and regular consultation with the parish clergy, parents, and Catechetical Ministry staff. The total religion program will be evaluated according to the Department of Catholic Schools accreditation cycle.
- .4(E)**Time allotment.** The total weekly time allotment indicated in the Guidelines for Time Allotments is to be strictly observed, but the time may be blocked in three, four, or five weekly periods, as dictated by the adopted text or the established school curriculum. Appropriately planned liturgical experiences, formally integrated into the total program, may be reckoned as part of the time allotment (See 5145.3, 6234 and ARG, Guidelines for Official School Calendars and Time Allotments).
- .5 **Grading and reporting.** Pupil progress in acquiring an intellectual grasp of the religion course material is to be tested, evaluated, graded, and reported according to the same procedures established by the school for other subjects in the curriculum. Reporting procedures in elementary schools must be in accordance with the Archdiocesan guidelines (See Appendix 2).
- .6(E)**Assessment of Catechesis-Religious Education.** Evaluating the status of faith formation and religious instruction requires educators to be attuned to the mission, goals, and strategies inherent in the delivery of sound catechesis. The National Catholic Educational Association developed the Assessment of Catechesis-Religious Education (ACRE) to assist with this evaluation of program effectiveness.

Schools shall assess their efforts on a systematic basis. Minimally this should take place two years before the WCEA/WASC accrediting visit so that the data can be utilized in the Religion in-depth study.

TEACHERS, TEACHERS OF RELIGION AND CATECHISTS

The principal shall lead the staff in developing and implementing the Faith Formation opportunities within guidelines published by the Department of Catholic Schools, and shall maintain appropriate liaison and cooperation with other parish religious education programs.

It is the teacher's responsibility to implement the formal religious instruction program (See 6121.1, 6122.2-6122.5).

In every elementary and Archdiocesan school, one person must be designated as Religion Coordinator responsible for the planning, continuing consultation and evaluation implicit in the foregoing regulations. The principal should designate a qualified member of the staff to be the Religion Coordinator. The religion program will be a regular topic for faculty review, with leadership and assistance from the Religion Coordinator.

- .1 **Teachers.** All teachers in the school, even those not responsible for classroom instruction in religion, have a common responsibility:
- a) to be fully informed on the rationale and provisions of the program (through attendance at faculty meetings, orientation sessions, etc.);
 - b) to support the program by word and action, especially in interpreting it to parents;
 - c) to evidence sensitivity and competence where religious values and issues cross over to other subjects;
 - h) to cooperate actively in correlating religion and other subjects in appropriate ways;
 - e) to express awareness of the liturgical seasons of the year;
 - e) to participate, as teachers of the parish school, at parish celebrations and functions where the mutual interests of school and parish are affected;
 - f) to take advantage of in-service and adult religious education opportunities offered by the parish, the Archdiocese, or other competent agencies.

In-service in religious education may be required by the school or the Department of Catholic Schools as a condition for hiring or Employment Agreement renewal.

- .2 **Basic Certification.** Newly hired teachers will attain Basic Certification during their first two years of teaching. Credit for recertification is not granted until Basic Certification is completed.
- .3 **Recertification.** Teachers must have their Religion status "re-certified" every three years (See ARG, Personnel Policies and Records).
- .4 **Parish clergy.** The parish clergy should be invited to participate fully in the school religious education program in ways suggested by, but not limited to, the following list:
- a) to work with principal and religion coordinator of the school in establishing procedures and criteria for program and textbook selection (See 6122.2, 6122.3);
 - b) to participate in faculty meetings related to the religious program and faith formation;
 - c) to consult with classroom teachers or others in planning special liturgies;

- d) to participate in parent orientation and parent education programs;
- e) to undertake classroom instruction on terms and time schedules cooperatively developed by the priest, principal (or religion coordinator) and classroom teacher;
- f) to assist with spiritual counseling and guidance, especially in upper elementary grades (See 6414).

6130 GENERAL EDUCATIONAL CURRICULUM

6131 ARCHDIOCESAN CURRICULUM GUIDELINES

It is the responsibility of the principal of each school to see that the goals and objectives of the school are effectively implemented by the staff through the organization of the curriculum, the learning climate, and the learning experiences that provide for the development of each student.

The curriculum shall be in accordance with the Archdiocesan Curriculum Guidelines and with the specific guidelines for each subject area. Any significant departure from the directives and guides requires explicit permission from the Department of Catholic Schools.

6132 SCOPE OF CURRICULUM CONTENT

Besides religious instruction, each school shall provide a general education curriculum that satisfies the private school requirements of the California Education Code. The subject requirements for elementary schools are included in this handbook and in the Archdiocesan Curriculum Guidelines published by the Department of Catholic Schools (See 6112, 6133, 6134, 6135).

6133 REQUIRED SUBJECTS - GENERAL

The curriculum shall provide instruction at the appropriate elementary and secondary grade levels and subject areas in the following: personal and public safety and accident prevention; fire prevention; the protection and conservation of resources; and health (See 5153.7).

6134(E) REQUIRED SUBJECTS - ELEMENTARY

Beginning in Kindergarten and continuing through Grade eight, the adopted curriculum in the Archdiocese shall include instruction in the following areas: religion, social science, language arts (inclusive of listening, speaking, reading, writing, and all associated sub-skills), mathematics, science, health, safety, physical education, and fine arts (art, music, dance, drama). Family life education and guidance are to be correlated with the appropriate subject. Computer technology will be integrated into the existing curriculum.

6134(S) REQUIRED SUBJECTS - SECONDARY

The adopted curriculum for Grades nine through twelve shall include the following areas: religion, English, social sciences, foreign language(s), science, mathematics, fine arts, business, computer technology, and physical education. It may include applied arts, technical education and automobile driver education.

6135(E) GRADUATION

See 5134.1, 5134.4(a)(E), 5134.4(b)(E)

6135(S) **GRADUATION REQUIREMENTS**

In addition to a detailed list of course offerings, a complete list of graduation requirements shall be established and published by each school and made available to all students and their parents. Requirements for graduation shall generally include those listed by the California State Department of Education.

No student shall receive a diploma of graduation from any secondary school unless the required course of study has been completed and the standards of competency prescribed by the school have been met.

Written procedures concerning qualification for graduation shall be established. These shall be distributed to all students and parents. Regulations shall be indicated concerning advance warning and written notice if it becomes certain that, for whatever reason, a student will not qualify to graduate with the class.

6140 EXTRA CLASS ACTIVITIES

6141 **ASSEMBLIES, PUBLIC PROGRAMS, AND PERFORMANCES**

A school should provide opportunities for assemblies, public programs, and public performances by school groups in educationally sound activities that benefit the students, the school and the community (See 1221, 6143, 6231).

6142 **PUBLICATIONS**

With the approval of the principal, each secondary school may establish a school newspaper/magazine for the students of the school and their parents. Such publications should conform to the standards of good journalism. It is strongly recommended that the local administration adopt rules and regulations in the form of a written publication's code which shall include guidelines concerning content, prior review, restrictions on time, place and manner of distribution, and advertisements.

Student participation in production and distribution shall be under the direction of a faculty moderator.

An elementary school may also publish a modified version of a school newspaper according to the standards and guidelines established by the school.

6143 **EXTRACURRICULAR ACTIVITIES**

Where feasible, a variety of extracurricular activities suitable to the age and needs of the students shall be offered.

All school-sponsored activities must have the approval of the principal who is responsible for the general planning of the school program and the assignment of staff as moderators.

Such activities, under the supervision of regular teachers, ordinarily are to be scheduled at other than class times; however, they may be built into the class schedule when the good order of the school requires it or when the activity is integral or complementary to regular instruction.

Service activities in the school, parish, and community shall be encouraged. Nevertheless, care should be exercised to prevent excessive demands that would interfere with students' academic progress.

Normally, there should be no fee charged except for transportation and special materials or equipment. Any charge must be minimal.

6144

EXTENDED CARE PROGRAMS

Recognizing the increasing numbers of children who are members of single parent families or of families in which both parents work outside the home, the Department of Catholic Schools encourages schools to assess carefully the feasibility of establishing a program for the care, enrichment and supervision of Catholic school students in a setting reflective of the values of the Catholic Church, home, and school. The effort is recommended especially in situations where there is demonstrated need.

Appropriate preliminary studies should be undertaken and decisions made only after proper consultation between pastor and school principal (See 3552).

- .1 **Definition.** An Extended Care Program is an on-site school operated program of before-and-after school care, supervision, and enrichment that serves exclusively children who are enrolled as regular K-8 students at the parish school. Under current State regulations, such a program is exempt from licensing requirements of the State Department of Social Services.
- .2 **Philosophy.** The philosophy for an extension program shall be the philosophy of the school to which it belongs.
- .3 **Administration.**
 - a) Any school program shall come under the educational and administrative leadership of the principal who, in turn, hires appropriate personnel to administer and/or staff the program.
 - b) The Extended Care program as a part of the school is subject to school policies as developed by the local school board and to administrative decisions of the principal and the Department of Catholic Schools (See Extended Care Handbook).
- .4 **General policies.**
 - a) School holidays may be observed. There may be no Extended Care program sessions on days when the school is not in session.
 - b) It is recommended that one adult be employed for each fourteen students.
 - c) Insurance coverage must be in force for each student. Student Accident Insurance Policy will cover students in Extended Care programs.
 - d) Income and expenditures must be processed through school books and bank accounts (See Parish and School Financial Policy Manuals).
 - e) Facility use must be in accord with local building and fire codes.
 - f) All Archdiocesan guidelines and regulations concerning health, safety, and supervision of students as well as security of school facilities during school sessions shall also apply to Extended Care programs.

6200 INSTRUCTIONAL OPERATIONS

6210 SCHEDULES, CALENDAR, PROGRAMMING

6211 SCHOOL CALENDAR

Annually, every school shall adopt an official School Calendar in conformity with the guidelines established by the Department of Catholic Schools. In choosing among the calendar options, each administrator should give first consideration to the families served by the school.

- .1 **Archdiocesan Calendar.** Annually, the Department of Catholic Schools shall issue an Archdiocesan Calendar that will be followed by the Department in scheduling all services.
- .2 **Notification.** A copy of the adopted calendar indicating all minimum days and early dismissals shall be forwarded by each school to the Department of Catholic Schools. The school calendar shall be posted and distributed locally.
 - a) Copies of the school calendar shall be distributed to the parents of all students by the beginning of the school year. If it becomes necessary for school officials to cancel or to change the date of the scheduled minimum day or early dismissal, they shall inform parents in writing.
 - b) The principal shall distribute the school calendar and provide notice concerning exceptions to all who would be affected by a change in the school schedule, i.e., public school officials, crossing guards or police department personnel, et al.
- .3 **Modification.** The modification of calendars during the school year is not authorized except with the explicit approval of the Superintendent.

6212(E) REGULAR SCHOOL DAY

The principal shall establish school schedules complying with the minimum time requirements outlined in the Archdiocesan directives.

The regular student school day must include opening and closing exercises and the required number of minutes of actual classroom instruction enumerated on the Time Allotment Chart. The time allotment may be extended according to local need (See ARG, Guidelines for Official School Calendar and Time Allotments).

The opening and dismissal times for the regular school day are determined by each principal after taking into consideration mandatory time requirement for instruction, opening and closing exercises, appropriate recess and lunch periods, and other local factors.

- .1 **Recesses and lunch periods.** There shall be at least one morning recess of not less than fifteen minutes for all elementary school pupils.

The time allotment for the lunch period should be adequate for both students and teachers. The scheduled school lunch period should not be less than one class period or thirty minutes. Students shall be supervised during these periods (See 5161).

- .2 **Minimum school days.** Minimum school days may be declared only on the authorization of the Superintendent. A minimum day includes the following time allotments:

Kindergarten - 185 minutes
Grades 1 through 8 - 240 minutes

The minimum time allotments do not include recess or the lunch period, except for Kindergarten which may include a short recess in the 180 minutes.

Authorized minimum days and general regulations for parish and Archdiocesan schools are published annually by the Department of Catholic Schools.

- .3 **Early dismissal.** Early dismissal for the regular faculty meeting is permitted according to guidelines established by the Department of Catholic Schools (See ARG, Guidelines for Official School Calendar and Time Allotments).

Early dismissal for other special faculty meetings may be permitted if the purpose and conditions of the meeting conform to the criteria detailed in the guidelines.

- .4 **Use of class time.** Instructional time shall be devoted in instructional purposes. Routine collection of information, money, etc., should be accomplished with the minimum loss of time and normally outside class periods.

6213 **INSTRUCTIONAL DAY FOR TEACHERS**

On all days listed in the official school calendar, teachers shall be present for the full time of service as scheduled by the principal. In addition, teachers are responsible for normal supervisory services and moderator duties assigned by the school administration.

Teachers who must leave the school grounds at any time during the scheduled day shall obtain the approval of the principal in advance.

Elementary school teachers shall report for duty not later than 30 minutes before the beginning of each school day. They shall be available for a minimum of 30 minutes after regular dismissal for assistance or conference with students, parents and school officials.

6214 **TEACHER IN-SERVICE DAYS**

The official school calendar shall designate a minimum of two days of service for teacher's in-service or planning in addition to the regular school calendar for students.

More than two days of in-service may be scheduled in the school calendar at the local level.

6215(E) **TIME ALLOTMENTS**

The regulations and minimum time allotments specified on the Time Allotment Chart (See ARG, Guidelines for Official School Calendar and Time Allotments) are to be followed; however, with Department of Catholic Schools approval, adjustments may be made as long as the total number of instructional minutes is retained. All requests and permissions for adjustments shall be in writing. Scheduled time exceeding the total weekly minimum may be allotted according to the discretion of the local administrator.

- .1 **Period scheduling.** To permit flexibility in local organization of the instructional program, various patterns of scheduling may be followed provided the total instructional minutes are retained.
 - a. Subjects (e.g., Language Arts, reading, literature, English, spelling and handwriting) may be blocked together.
 - b. On grade levels where the program is departmentalized, time allowances may be made in individual subjects to accommodate modular or period scheduling (See ARG, Guidelines for Official School Calendar and Time Allotments).
- .2 **School and classroom schedules.** The daily schedule shall be in a prominent place in each classroom. A copy of all class schedules shall be on file in the principal's office.

6216 **ELECTIVES**

Electives are encouraged provided that: (a) they do not detract from the required program, (b) they are within reasonable staff and budget allocations, (c) they clearly meet the standards set by the stated school philosophy and curriculum.

6217 **EMERGENCY SCHEDULES AND PROCEDURES**

It is the responsibility of the principal to supervise the implementation and annual updating of the local emergency procedure plans (See 5165 and ARG, Guidelines for Official School Calendar and Time Allotments, School Safety Plans for Disaster, Emergency and Violence & Model Emergency Plan for Schools).

The plan shall include:

- Posting of the appropriate signs and procedures for fire and earthquake drills in classrooms and assembly areas.
- Displaying, according to state fire marshal laws and local ordinance, any other required safety signs (e.g., exits, hazardous materials, room capacity, etc.).
- Instructing faculty and staff members on the alarm system, the manner of activating it and the means of summoning the fire department.
- Instructing staff and students in all emergency procedures.

6220 INSTRUCTIONAL ARRANGEMENTS

6221 **CLASS SIZE**

Class size will vary in accordance with the instructional program and methodology being followed in a school.

Elementary school classes shall be limited to thirty-five (35) pupils.

6222 **STUDENT GROUPING PRACTICES**

Schools may group students within a class, or among several grade levels for a given subject (non-grading), wherever such grouping will place the individual student in the most appropriate learning situation.

Student grouping for course offerings or school activities shall not be determined on the basis of gender.

The following considerations shall govern instructional grouping:

- Grouping should be based on objective data regarding the student's ability and maturity, such as standardized tests, classroom observation by several teachers, etc.
- Grouping should be the result of cooperative assessment and planning by the principal, teachers and other competent staff, such as guidance and health personnel.
- Students should be regularly reassessed and reassigned as necessary.

6223

STUDENT ACCESS TO COURSES

Course offerings or other educational activities may not be provided separately on the basis of gender, nor may participation therein be refused or required on such basis. Included are health, physical education, industrial, business, vocational, technical, home economics, and music courses.

- Students may be grouped by ability in physical education classes and activities as long as ability is assessed by objective standards developed and applied without regard to gender. Students may be separated by gender within physical education classes during participation in contact sports.
- Portions of classes in elementary and secondary schools that deal exclusively with human sexuality and gender specific issues may be conducted separately for males and females.
- Institutions may make requirements based on vocal range and quality that result in choruses of one or predominantly one gender.

6224

CLASSROOM CONDITIONS

It is the classroom teacher's responsibility to arrange and maintain the classroom environment that will enhance the instructional program and will provide for the students' welfare and safety.

- .1 **Physical arrangements and student needs.** The teacher is responsible for classroom seating, ventilation, lighting and heating, and should report needed repairs to the proper school official. Special care shall be taken in these matters to arrange for normal access and participation by physically challenged students.
- .2 **Safety regulations.** The classroom teacher shall arrange the classroom furniture and fixtures in compliance with school regulations and local ordinances concerning fire and earthquake safety.
- .3 **Classroom cleanliness and appearance.** The teacher has a general responsibility for the good order and cleanliness of the classroom; however, no teacher shall be obliged to perform duties usually assigned to a custodian.

6225 **SCHOOL LIBRARY/RESOURCE CENTER**

An appropriate selection of print and non-print materials in a central library/media center is a vital part of a school's instructional facilities. If a school does not have room for a central facility, provision should be made for classroom libraries or centers.

6226 **FIELD TRIPS**

Field trips of educational or cultural value shall be authorized in advance by the school principal. A field trip must be planned and carried out as an extension of, or supplement to, the counseling or instructional program. The educational value of the trip must justify the time, distance and expense involved.

Purely recreational trips should be held outside of school time and may be held during school time only as specifically allowed in this Handbook (See 5144.1, 5144.2).

The principal shall establish and supervise local procedures for school field trips in accordance with Archdiocesan regulations.

- .1 **Criteria for approval.** Criteria for approval of field trips include:
- direct relevance to instructional or counseling program;
 - preparation and follow-up activities in classroom;
 - reasonable and approved expense limits;
 - safe and proper transportation;
 - adequate adult supervision;
 - advance notification to all affected staff members and parents;
 - appropriate length of time.

The principal shall approve the field trip prior to publicity or to the collection of parent permission slips.

- .2 **Permission slips.** No student shall go on a field trip unless a signed parent permission slip has been returned to school. A separate permission slip must be obtained for every field trip.

Field trip permission forms shall include the following information:

- nature of field trip
- destination and purpose
- the date and hours
- name of supervisor overseeing the activity
- cost
- mode of transportation to be used
- child's full name
- signature, address, and day time telephone number of parent for emergency use.

Requests for parental permission shall be accompanied by full details about the field trip.

If during any field trip students shall be given the opportunity to engage in an activity that is more than ordinarily strenuous or hazardous (e.g., back packing, swimming), specific permission must be obtained for each participating student. Activity clearance or prohibition must be indicated clearly on the general field trip permission slip signed by parents of each student.

- .3 **Supervision.** Students on field trips must be adequately and effectively supervised.

A member of the faculty must be present on every regular field trip. A number of adult chaperones, deemed by the local authorities to be adequate and to be appropriate for the age group and type of field trip, shall assist the teacher with supervision.

Small groups of children may be supervised by an adult aide or school volunteer to nearby community or public resources (e.g., public library) as part of an extended lesson.

When students travel on a bus, there must be at least one adult supervisor on each bus.

- .4 **Student safety.** State law requires that teachers carry first aid kits when taking students on field trips. Whenever a field trip is conducted into an area that is commonly known to be infested by poisonous snakes, the first aid kit shall include a snake bite kit.

Careful provision should be made for the students' safety.

- a. When students travel on foot, they should be instructed and supervised regarding the crossing of streets, use of trails, bicycle paths, etc.
- b. The preferred method of transporting students is by properly certified common carrier.

Maintenance and use of a bus owned by the school shall be strictly in accordance with Archdiocesan guidelines, state and local regulations.

- c. Field trip planning shall include arrangements for entering and leaving the vehicles to insure student safety and to avoid disruption of traffic.
- d. Private vehicles may be used (See 6226.6 and ARG, Insurance for Employees and Students).
- e. If during any field trip students shall be given the opportunity to engage in an activity that presents special hazards (e.g., swimming), appropriately certified or trained adults must be available for supervision.

- .5 **Student roster and emergency information.** The principal shall establish school procedures for verification of attendance and clearance (See 6226.2) of students prior to departure on a field trip. A roster of participating students shall be given to the principal or designated school official.

The supervising teacher shall carry a roster of participants including names, addresses, and emergency telephone numbers of all students. Prohibition of, or clearance for, special activities shall be indicated on this list.

On the field trips involving an overnight stay or great distance from home, the school authorities shall obtain from the parents of each student a special written authorization to obtain emergency medical care for the student in the event of an emergency. These authorizations shall be in the possession of the supervising administrator or teacher.

- .6 **Use of private vehicles.** Private vehicles driven by adults may be used. Employees and volunteers who use their own vehicles in connection with school activities

ordinarily are eligible for secondary coverage under the Archdiocese's liability insurance (See ARG, Insurance for Employees and Students).

The principal shall establish criteria to ascertain that students will be transported safely, e.g., in closed vehicles, with a safe passenger load and with a seatbelt for each student.

The supervising teacher shall give to the principal a list of drivers/chaperones assisting with the field trip.

Each driver of a private vehicle must:

- have a valid driver's license;
- be over 21 years of age;
- have proof of adequate insurance;
- have one seatbelt per passenger;
- have appropriate car seat for young children.

The vehicle should be validly registered and meet state safety requirements.

.7 **Overnight field trips.** Additional requirements for overnight field trips include the following:

- a. The principal must contact the Archdiocesan student accident insurance carrier to determine that the proposed school-sponsored trip is covered by the student accident insurance policy. It is recommended that the school use the "Short-term 24 Hours Coverage" through Myers-Stevens Student Insurance.
- b. The principal shall give special consideration to 6226.3 with regard to supervision of overnight lodging. If the group of students includes both boys and girls, both men and women over 21 years of age shall be included as supervisors.

.8(S) **Non-Field Trip Transportation.** For policies and guidance concerning extra-curricular, non-field trip transportation, high schools see Appendix 13.

6227

HOMEWORK

Homework planned to meet the needs of students has an essential place in the educational program. Homework should be assigned:

- to reinforce concepts and skills that have been presented in class;
- to foster the student's creativity and discipline through enrichment projects or research;
- to train the student to work independently and to accept responsibility for completing a task.

Parents shall be informed concerning the school's homework policy.

.1(E) **Time allotments.** The amount of time which different students in the same grade spend doing homework will vary. However, the following table provides guidelines for the maximum amount of time the typical elementary student should spend daily in homework.

Grades 1 and 2	- 20 minutes
Grades 3 and 4	- 30 - 45 minutes
Grades 5 and 6	- 45 - 60 minutes

Grades 7 and 8 - 60 - 90 minutes

- .2 **Homework schedules.** Apart from make-up work and long-term assignments, homework should not be scheduled over weekends or vacations in the elementary grades, and it should be a reasonable amount in the secondary grades.

Wherever students have several teachers, a cooperative faculty plan for assignments shall be prepared and approved by the local administrator.

6228 **LESSON PLANS**

All teachers shall develop teaching/learning plans to guide their daily activities.

- .1 **Regular full-time teachers.** Lesson plans shall be submitted regularly to the principal according to local procedures and regulations.
- .2 **Substitute teachers.** Principals shall develop procedures to ensure that substitute teachers have access to lesson plans, keys, registers, class schedules and school policy books.

6230 CEREMONIES AND OBSERVANCES

6231 **OBSERVANCE OF HOLIDAYS AND FEASTS**

Appropriate school programs or classroom activities commemorating significant cultural, civic, and religious observances are encouraged. These activities should have artistic, inspirational and educational value.

6232 **PATRIOTIC SYMBOLS AND EXERCISES**

Proper care and display of the national and state flags shall be observed and taught in all schools of the Archdiocese. The historical meaning or significance of national holidays should be presented to students and suitable recognition should be given to their observance.

Traditional patriotic anthems and songs shall be taught to all students.

- .1 **Flag display.** The United States flag and the California Bear flag shall be prominently displayed on all school days at the entrance, upon the grounds, or upon the administration building of every school, weather permitting.

Smaller suitable United States flags shall be displayed in each classroom at all times during the school sessions.
- .2 **Care of flag.** Each school shall provide a suitable flagstaff for hoisting the United States flag and a suitable storage space for the flag when it is not being flown. The flag shall be raised before the opening of school and taken down at its close every day. The principal and teachers shall teach pupils to honor and care for the flag.
- .3 **Patriotic exercises.** Students shall learn the national anthem and the pledge of allegiance to the flag of the United States. The daily Pledge of Allegiance to the Flag shall be an integral part of the opening exercises.

6300 INSTRUCTIONAL MATERIALS AND RESOURCES

6310(E) BOOKS

6311 **TEXTBOOKS**

All faculty members are required to follow the curriculum guidelines as stated in the Archdiocesan Curriculum Guidelines. These include specific regulations concerning textbooks.

- a. Only the basic religion programs approved for the elementary schools of the Archdiocese and listed in the Religion Coordinator Handbook shall be used.
- b. In all subjects, the same basal textbook series must be used sequentially in grades K-5 or K-6. The upper grades may use a different series to accommodate their specific needs.
- c. Materials supporting the goals of the sequential course may be used to supplement the basal series.

- .1 **Evaluation and adoption of textbooks.** The evaluation and adoption of basic supplementary textbooks in all subject areas except religion will be conducted concomitantly with the State programs of evaluation and adoption of textbooks.

The textbook series should be selected in accordance with a school policy developed by the principal in close consultation with the faculty.

Textbook series should be adopted after careful evaluation according to specific criteria and an in depth study of the specific curriculum area.

- .2 **Teacher manuals.** Principals shall provide teachers' manuals for every basal textbook series and every available supplementary set used as part of the instructional program.

Every teacher assigned classes or courses shall be provided a teachers' manual for the basal textbook used in the assigned class.

- .3 **Supplementary textbooks and materials.** Other materials and textbooks may be used as supplementary resources only in accordance with the general curriculum policy of the school and the Archdiocese.

6312 **LIBRARY BOOKS**

Local criteria should be established for the selection of books as acquisitions to a school and/or classroom library. The materials selected shall be compatible with the overall educational goals of the school (See 6225).

The development of a faculty library shall be the special concern of the principal.

6320 **SUPPLIES AND OTHER MATERIALS**

6321 **EQUIPMENT AND SUPPLIES**

Each school shall determine its requirements for supplies and equipment in accordance with the instructional program and methodology designed to serve the students in the school.

6322 **MULTIMEDIA MATERIALS**

Local criteria should be established for the selection of multimedia materials as acquisitions to a school resource center or classroom learning center. The materials selected shall be compatible with the overall educational goals of the school (See 6112, 6225).

6323 **FEES**

As specified in the school fee schedule published annually by the Department of Catholic Schools, instructional supplies and school testing program costs may be included in the supply fee required from each pupil.

A reasonable fee for audiovisual supplies and materials may be included in the student supply fee.

Student fee money shall not be used for equipment. Funds from other sources, e.g., PTG benefits, should be allocated for this purpose.

6324 **COPYRIGHT LAWS**

The duplication of materials, including computer software and videos, covered by an exclusive copyright is subject to the specific guidelines and protections for copying for educational use that accompany the copyright revision law. All faculty and staff members shall be knowledgeable concerning the law's provisions and guidelines.

6325 **ANIMALS IN THE CLASSROOM**

Local school regulations shall govern the use of animals in the classroom, as pets or for study purposes. Teachers shall ensure that they be treated in a safe and humane manner. The presence and/or care of an animal is prohibited if it presents a health or safety hazard for students.

Persons bringing animals into the school shall receive prior permission from the principal.

6330 **RESOURCES**

6331 **COMMUNITY RESOURCES**

The principal and other school administrators shall acquaint themselves with the range and quality of services offered by the social and cultural agencies, public and private, which are found in the community. Reference is made especially to child guidance clinics, and agencies or centers offering special educational services.

Parents and school authorities are advised to seek information on the policies and services of any health or education agency considered for student referrals.

The classroom teacher must know the ability of each pupil and assure the mastery of basic skills and subject content in accordance with the student's level of ability. If a student demonstrates significant difficulty in acquiring the basic learning skills despite full use of local

resources by the teacher, the teacher shall consult the principal concerning the advisability and local procedures for referral to outside agencies (See 5127.1, 5153.2).

6332 **EDUCATIONAL SERVICES - COMMERCIAL**

The basic instructional program is the responsibility of the school faculty. No additional charge is allowed for packaged programs which are conducted or taught by the employees of a commercial firm or by staff members acting as agents of such a company (e.g., reading programs).

Extra programs not directly related to or included in the required school subjects are left to the discretion of the local administrator. Any school contract for commercially provided educational services can be executed only in accordance with Archdiocesan policy (See Parish and School Finance Manual).

6333 **GOVERNMENT PROGRAMS**

In cooperation with local public agencies Archdiocesan schools participate in a number of government financed programs which provide benefits to students. Since new programs are constantly being developed and guidelines for existing programs are frequently changed, only the basic principles are outlined:

- a. All schools are encouraged to secure for their students all public services to which they are entitled.
- b. Some government program forms which must be filed annually require the signature of a nonpublic school official before submission for approval to the State Department of Education or other agency. These must be forwarded to the Superintendent for the authorized signature.
- c. Principals shall follow the detailed instructions issued periodically by the Department of Catholic Schools pertaining to specific government programs.

6400 INSTRUCTIONAL SERVICES

6410 STUDENT SERVICES

6411 GENERAL

The school shall be responsive to student needs and shall offer student services within the limits of the budget and personnel resources to assist students in meeting the objectives of the educational program.

These should include, but not be limited to, counseling, guidance, testing, special education, health, and attendance services.

6412(E) TESTING

The basic elementary school testing program planned annually by the Department of Catholic Schools fulfills the minimum requirements of a school program. Each principal shall develop through faculty consultation additional assessment opportunities appropriate for the curriculum and pupil population of the school.

General provisions, program description, basic and optional services, calendar and schedules are detailed in a set of guidelines published annually by the Department of Catholic Schools. These directives shall be followed in the determination and organization of the school testing program (See ARG, Testing Program).

6413(S) TESTING

Each secondary school shall develop a testing program appropriate for the curriculum and the pupil population of the school. It shall include diagnostic or placement tests and tests qualifying students for scholarships and special programs. The cost of the program must be reasonable, and commensurate with the need for the data obtained and its value in meeting the objectives of the educational program.

6414 GUIDANCE

Guidance shall be an integral part of the curriculum of Catholic schools in the Archdiocese. The program shall be formal and explicit in the secondary schools.

On every level, however, teachers shall be concerned with student guidance. In addition to academic counseling and career guidance, provision shall be made for personal and religious counseling. Where feasible the local clergy or chaplain shall participate in providing spiritual guidance.

The persons working in the area of guidance shall be responsible to the principal of the school.

Institutions may not discriminate against any person on the basis of gender in the counseling or guidance of students or applicants.

Schools may not use different materials for students on the basis of gender or use materials which permit or require differential treatment of students on this basis unless these materials

cover the same occupations and interest areas and their use is shown to be essential to eliminate gender bias. Schools must develop and use internal procedures for ensuring that counseling materials do not so discriminate.

Where a school finds that a particular class or course contains a substantially disproportionate number of individuals of one gender, the school must take such action as is necessary to assure itself that this disproportion is not the result of gender discrimination by teachers and counselors or in counseling materials.

6420 **STAFF SERVICES**

6421 **GENERAL**

Catholic Schools exemplify quality education by focusing on the needs of students through the ongoing professional development of their teachers. Although the individual teacher bears the primary obligation for continuing professional development, the principal shall provide in-service opportunities for staff members. Each school should have an annual written staff development plan. Plans and school budget should include provisions for attendance at local professional development opportunities and meetings that would enhance professional practices of teachers and staff members to obtain the skills, knowledge, and attitudes needed to help the students meet the objectives of the educational program.

The principal shall provide to all teachers the opportunity for religion in-service.

Appendices

Appendix 1	Non-Discriminatory Policy Statement
Appendix 2	Student Cumulative Records
Appendix 3	A. General Contract Signing Checklist B. Archdiocesan Property Used by Outside Organizations C. Supplemental Programs at Schools and Independent Contractors
Appendix 4	Policies and Procedures Regarding Child Abuse and Harassment (2001) and Addendum (2003)
Appendix 5	Archdiocesan Board of Education By-Laws
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Appendix 8	Parent – Student Handbook
Appendix 9	Faculty Handbook
Appendix 10	Guidance Regarding School-Parent Tuition Agreements
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Appendix 1 Non-Discriminatory Policy Statement

Revenue Procedure 75-50

“Notice of Non Discriminatory Policy as to Students.

The [name of school] admits students of any race, color, national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color or national origin in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs.”

Procedure:

In addition to inclusion in all brochures and catalogs and in a resolution of the “governing body” this must be issued annually during the solicitation of students or, if none, during the school registration period, in a newspaper of general circulation (or in broadcast media) if in print, it must be captioned in 12 point boldface as a notice of nondiscrimination policy toward students, text as least 8 point type and occupying at least column inches. The Department of Catholic Schools files an IRS form 5578 annually certifying that the schools are complying with all the IRS nondiscrimination regulations. The form 5578 must be filed annually by the 15th day of the 5th month following the end of the organization’s calendar year or fiscal period. Verification of compliance with Revenue Procedure 75-50 requires each school to complete and submit form RNV10 each year by September 30th.

Policy: Notice of Employment Opportunity

“[Name of School] shares in the mission of Jesus Christ who called all followers to lead a just life. In fidelity to that mission, the School promotes equal employment opportunities for all persons with regard to recruitment, hiring training, transfer, promotion and termination of employment. Employment decisions are made on the basis of qualifications that meet the needs of the School and not on the basis of race, color, national origin, ancestry, gender, age, or physical or mental disabilities. The School does have the right to favor employee who are Catholic, with respect to hiring and/or promotion, and to require all employees to conduct themselves in a manner that is compatible with the teachings and mission of the Catholic Church.”

Appendix 2 Student Cumulative Records

Student Records: Access, Dissemination, Maintenance and Security

Definitions

“Access” means a personal inspection and review of a record or an accurate copy of a record or receipt of an accurate copy of a record, an oral description or communication of a record or an accurate copy of a record, and a request to release a copy of any record.

“Eligible student” is one who has attained eighteen years of age, or is attending an institution of post-secondary education.

“Parents” means a natural parent, an adoptive parent, or legal guardian. If parents are divorced or legally separated, only the parent having legal custody of the Student may:

- challenge the content of a record,
- offer a written response to a record or
- consent to release records to others.

An exception will be permitted only if the school has received, in writing, from both parents, requests to follow an agreeable alternate procedure. In the absence of written legal prohibition, access will be granted to both parents.

“Student” means any person who is attending or has attended an educational institution and with respect to whom that institution maintains education records. The term “student” does not include an applicant who has not been in attendance at an institution.

Access

Parents have a right to access to all student records related to their children which schools are required to keep. The editing or withholding of any such records is prohibited.

- A. Each school shall adopt procedures for granting requests to inspect and review records. Local procedures may require advance request by parents; they must provide that a qualified staff person shall be present at the time of the inspection in order to interpret data and to respond to questions that parents may ask.
- B. Access shall be granted within a reasonable period of time after the request has been made, within five days if possible.

The school shall permit record access to officials of the Archdiocese and the religious community and to teachers within the school who have a legitimate educational interest.

Other persons permitted access are listed on the reverse of the Record of Access Form which must be kept in each student’s record. The name, date of request, and legitimate interest of these eligible persons must be recorded on the student’s Record of Access Form.

Persons or agencies not mentioned previously in this section may not be granted access to a student's permanent record file without the written authorization of the parents.

Custody Matters

These are some guidelines when the child is in a legal custody situation:

- A. Ask to see most recent court papers supporting respective parent's position.
- B. Distinguish between:
 1. **Physical Custody** - Definition: Usually "full custody" by one parent with specified and limited visitation rights for other parent, the terms of which the school should respect, absent the written evidence of a modification for the court.
 2. **Legal Custody** - Definition: Usually "joint" custody between parents regarding major decisions affecting the child, (e.g. whether to enroll in public vs. private, or secular vs. sectarian schools, etc.).

Under this arrangement both parents would receive routine communications and information, but if a conflict arises (e.g. "let Johnny be in school play vs. don't let Johnny be in school play") then defer to the parent with physical custody.

If major school matters arise (e.g. "Don't let one of the parents see any of the child's school files or reports") the normal policy is to share with both parents if both have joint legal custody. This will continue, absent court instruction to the contrary.

Record of Assess - (See ARG, Record of Access Form)

Each school shall maintain a record, with the education records of each student, which will indicate all parties other than Archdiocesan and local school personnel who have obtained access to a student's education records. This form, indicating the legitimate interest that the eligible party had in seeking the information, shall be available only for the parents of the Student and for the school officials responsible for maintenance.

Right of Access - (See ARG, Notification for Parent-Student Handbook)

Schools shall fully inform parents of their right of access. Ordinarily this will be done upon the date of the Student's initial enrollment and should be repeated annually. This notice to parents should reasonably notify the parents about their rights:

- A. To inspect and review the student's education record.
- B. To challenge and request the amendment of said record to ensure that the record is not inaccurate, misleading, or otherwise in violation of the student's privacy or rights.

- C. To consent to disclosures of personally identifiable information in the records in cases where the school is not already authorized to do so.
- D. To know where copies of the complete current record policy are located and to have access to a copy of the policy.

Schools should effectively notify parents of students who have a primary or home language other than English.

A statement of local practices concerning the following should be included in the Parent Handbook and in annual regulation reminders:

- A. Location of permanent records and title of the official in charge.
- B. Local procedures for review of records by parents.
- C. Policies of the school for reviewing and updating the records.
- D. Procedures for challenging the content of the record.

Procedures for Challenging the Content of the Record

Challenges to the content of the record are concerned with the correction of data in the Student record not with the substantive decisions on the assignment of grades. These challenges are to be settled through proceedings at the local level.

- A. The parent of a Student may file a written request to the principal to correct or amend any information in his/her child's permanent records which s/he alleges to be;
 - inaccurate,
 - an unsubstantiated personal conclusion or inference,
 - a conclusion or inference outside of the observer's area of competence, or
 - not based on the personal observation of a named individual with the date and place of the observation made.
- B. If the request is denied the parents shall be given an opportunity to present evidence relevant to the issue raised. This should be done in a meeting with the principal or responsible school official. After the hearing is concluded the principal or official shall inform the parents in writing concerning the conclusion reached.
- C. If the decision is not to amend according to parental request, the parents shall be informed of their right to place in the records of the student a statement commenting upon the information in the records and/or parental reasons for disagreeing with the decision. If the contested portion of the record is released, the parental comment must also be released.

Release of Student Record Information to Schools

When a student transfers to another school, a copy of the Student's permanent enrollment and scholarship record must be transferred by the former school upon a request from the school or district where the Student intends to enroll.

- A. Ordinarily, the transfer of a student's record should be in response to a written request from the receiving school. The written request should be kept in the student's file. The school requesting the record must notify the parent(s) about their rights to receive a copy of the record.
- B. A transcript of a student record ordinarily should include only "Cumulative Records" information and student health record (CSIR card).

Release of Student Record Information to Persons or Agencies other than Schools

The school may, without written authorization of the parents, release a transcript of records or personally identifiable information to the persons listed on the reverse of the Record of Access Form. This fact must be recorded on the form.

The school must release information concerning a student in compliance with court order. However, the parent of the Student should be notified in advance of compliance if it is lawfully possible within the requirements of the judicial order.

N.B. In the event that the school receives a subpoena or a court order, principals should:

FIRST - Notify the custodial parents.

SECOND - Contact the Department of Catholic Schools.

The school may not, without the written authorization of the parents, permit access or release written transcripts to any other person or agency not cited previously or listed on the Record of Access Form. This authorization shall be in writing, signed and dated by the person giving consent. It must include a specification of records to be released, the reasons for the release, and the names of the parties to whom the records will be released. (See Authorization for Release of Student Record Form.)

Special Conditions Pertaining to the Release of Student Record Information

Only the principal or designated professional can authorize release of student record information.

- A. Unless it is determined that the recipient is eligible to receive the released data, information must be given out only upon the necessary authorization of the parent or eligible student.
- B. Student record information should never be given on the telephone.
- C. Official transcripts should be mailed to the receiving school.

Maintenance and Security of Records

The principal of the school is responsible for record maintenance and access and for the education of the staff about maintenance and access policies. All school personnel having access to records should receive periodic training or review in these matters.

Maintenance

An average grade in all required subjects and categories must be recorded annually on the permanent record of all elementary school students. A synoptic record of scholastic achievement and a record of attendance must be maintained for all secondary students. This may be in the form of computer printed labels.

- (a) If elementary schools use a reporting code different from the conventional code recorded on the cumulative record, a copy of the equivalent codes used to transcribe the grades should be kept permanently on file for reference. Currently schools should follow procedures detailed in ARG, Student Reporting and Accounting)
- (b) Pre-score labels may be used to maintain a record of achievement test scores.

The annual total number of days absent and times tardy must be recorded on the cumulative record of each elementary school student. Class attendance registers must be maintained according to the regulations established by the Archdiocese and kept on file.

Complete directory data should be obtained upon initial registration and should be revised for accuracy by the classroom teacher at the beginning of each school year.

Schools should review their record-keeping policies and destroy inappropriate or useless data. This is especially true concerning any entry on a student's record that is:

- (a) inaccurate,
- (b) an unsubstantiated personal conclusion or inference,
- (c) a conclusion or inference outside of the observer's area of competence, or
- (d) not based on the personal observation of a named individual with the date and place of the observation noted.

Security

Access to records must be strictly controlled under the supervision of the principal or designated professional and in accordance with regulations governing access. (See ACCESS)

- (a) All official school records must be stored in a locked room or cabinet. Permanent records should be in a fireproof file cabinet.
- (b) When records are forwarded to other schools or agencies, they should be mailed in sealed envelopes. Packets of eighth grade transcripts may be hand delivered to high schools in a sealed envelope.

Permanent School Closure - Maintenance and Security of Records

Student Cumulative Record Cards and Attendance Registers are frequently needed for legal reasons. All of these records are to be kept permanently on file; whether parish, Archdiocese, or community owned. The records are to be kept in a fireproof file or container, which is readily accessible.

Where parish schools have closed, the pastor is responsible for the preservation of these records. The responsibility for responding to requests for student record information should be delegated to a particular parish staff member. The location of these records is to be communicated to the Department of Catholic Schools so that the Department can refer inquiries to the appropriate person and site.

Religious congregations whose schools have closed have the same responsibility as Pastors for preservation of the records and responding to inquiries. The location of community owned school records should also be communicated to the Department of Catholic Schools.

Appendix 3

CONTRACT SIGNING CHECKLIST

Contract Description: _____

The attached contract involves (check one):

- The Roman Catholic Archbishop of San Francisco, a Corporation Sole (RCA).
- The Roman Catholic Seminary of San Francisco (SEM).

The contract was reviewed by Legal on ___/___/____.

Initial

The contract is (check one):

- Level I
[Contract of \$50,000 or less and/or agreement (e.g. lease) of one year or less in duration - Any Attorney-in-Fact can sign if contract involves RCA and any two officers if contract involves SEM.]

- Level II*
[Contract in \$50,001 - \$100,000 range and/or agreement of one year and one day to three years in duration – Any Attorney-in-Fact can sign if written “okay” from a second Attorney-in-Fact (or Legal Counsel if other attorney-in-fact unavailable) if contract involves RCA and two officers (one of whom must be the President, Vice President, or Secretary) if contract involves SEM.]

- Level III*
[Contract of more than \$100,000 and/or more than three years in duration. The Archbishop must personally have given “green light” (oral or written) to proceed along parameters referenced in contract. If so contract can be signed by an Attorney-in-Fact if contract involves RCA. If contract involves SEM then two officers (one of whom must be the President, Vice President, or Secretary, and if one is not President, then Legal Counsel must okay.)

***The Archbishop is to receive a copy of all Level II and III contracts that have been signed.**

- This document is initialed below (where applicable) indicating prior review and approval by other Attorney-in-Fact.

(In case of Level III, initial also indicates Archbishop gave “green light”).

Note: In the case of SEM a signature on the contract will show that the requisite approval by the other officer has been obtained.

Initial

If other Attorney-in-Fact is unavailable for the above initial, then the first Attorney-in-Fact should initial below to indicate that oral approval was given to him by the other Attorney-in-Fact.

Initial

Review Date: ___/___/____

Appendix 3

B. Archdiocesan Property Used by Outside Organizations: Policies and Procedures

PREAMBLE

In light of the many and varied charitable, religious and educational works which are carried on under the auspices of the Roman Catholic Church, the Archdiocese of San Francisco is, by necessity, a major property holder. Inasmuch as these properties include such things as church and school buildings, halls and auditoriums, kitchens, offices and recreational facilities, the parishes, schools and agencies of the Archdiocese are frequently approached by outside individuals and organizations with a request to utilize these facilities for some personal, business, or community use.

The purpose of this document is to provide a summary of the general principles relating to the use of Archdiocesan properties and to outline certain specific procedures to be followed in connection with the application of those general principles. It must be borne in mind that these policies and procedures are motivated not only by considerations relating to preserving the property and income tax exemptions of the Archdiocesan entities which own the properties, but also by practical, legal and religious considerations which may indicate that an otherwise "profitable", "neighborly" or "convenient" use of the property by others is not appropriate. While this policy applies only to entities under the civil law auspices of the Archbishop of San Francisco it should serve as a helpful reference tool for other Catholic organizations in the Archdiocese of San Francisco, particularly to the extent that any proposed use of their properties impact the canonical "vigilance" responsibility of the Archbishop of San Francisco.

I. THE PROPERTY TAX AND INCOME TAX EXEMPTIONS

The Property Tax Exemption - Nearly all properties owned by Archdiocesan entities are exempt from property taxation under the so-called "Church", "Church Parking Lot", "Religious" and/or "Welfare" exemptions set forth in the California Constitution or the California Revenue and Taxation Code. Which particular exemption applies to a given piece of property depends on its specific use. In any event, in order to meet the criteria for at least one of the exemptions, the property essentially must be devoted exclusively to charitable, religious and/or educational uses by an organization which is exempt from income tax (i.e. a non-profit organization). The property tax exemption would extend to incidental uses of the properties, such as wedding receptions, which follow a religious ceremony taking place on the grounds, or the lease of the property by one organization exempt from income tax to another tax exempt organization for a purpose covered under the property tax exemption laws of California.

Some might argue that it is worth it to simply pay the property tax on all or a portion of the property in order to generate valuable revenues for the Church, school, or agency. Unfortunately, it is not that simple and for this reason it has been long-standing Archdiocesan policy to forbid the use of Archdiocesan property for purposes not covered by the property tax

exemption except under the most rare and/or temporary circumstances (e.g. see I.A. "N.B." and III.A. "film-making" sections below). A few of the reasons which militate against the use of Archdiocesan property by private individuals and *for-profit* organizations include the following:

- A. Once given up, an exemption could be permanently lost.** The property tax exemption is based on the idea that the property for which an exemption is claimed is reasonably necessary to carry out the particular functions of the organization and is not "excess" property (e.g. vacant buildings and lots or a residence bequeathed from an estate and rented out to individuals would not be covered by the exemption). Not only would it be a complex administrative task to attempt to claim, give up, and then subsequently re-claim an exemption on all or part of a given piece of property, there is no guarantee that a claim, once surrendered, could readily be resumed. This concern is of particular importance in connection with the core, contiguous properties of the parishes, schools and agencies. (N.B. As opposed to limited cases where a separate and distinct private lot or residence is bequeathed to a parish and is already subject to property tax. In this circumstance the property may be leased out for an appropriate commercial or residential purpose.)

Another problem is the fact that even if a proposed commercial lessee offers to pay the property taxes under the applicable terms of the lease, if the lessee fails to do so a lien can be placed on the property by the Assessor's Office which can then create both a cloud on the title to the property as well as pose administrative hassles and significant expense to clear up.

- B. Entering the commercial world may jeopardize the Religious Freedom protections of the Archdiocese.** Some would argue that if a religiously affiliated organization chooses to enter the "commercial" world it may be subject to the same non-discrimination laws, etc. that are applicable to other commercial (i.e. *for-profit*) enterprises, thereby jeopardizing the organization's ability to control its own property and to preserve the principles and teachings of its Faith.
- C. The appearance may be created of joint commercial ventures and/or endorsements.** Even if the other hurdles, identified above, are adequately addressed there is an additional concern that leases with *for-profit* commercial entities that are operating side-by-side with facilities operated by religious organizations can create the appearance of a joint commercial venture between the respective organizations and/or the implication that the particular business activity is endorsed by the Archdiocesan entity.
- D. Potential impact on income tax exemption.** The entities of the Archdiocese of San Francisco enjoy the privilege of exemption from Federal Income Tax under the so-called "Group Ruling". This exemption is premised on the understanding that the organizations listed in Kenedy's Official Catholic Directory are substantially engaged in the Catholic affiliated activities under which they claim exemption in the first place (e.g. religious, charitable, educational). A failure to operate within these parameters can

result in either the assessment of an unrelated business income tax on the commercial activities of the organization and/or the actual total loss of the exemption if the non-related activities are substantial. There is a limited exception to the unrelated business income tax provisions which allow an owner to receive passive rental income on its property from either a *for-profit* or non-profit organization. (This should not be confused with the property tax exemption which does not allow rentals to *for-profit* organizations.) However, if the overall rental activity of the Archdiocese with *for-profit* organizations were to become "significant" enough, from the IRS' perspective, even the income tax exemption could be jeopardized.

II. USE OF ARCHDIOCESAN PROPERTY REQUIRES THE EXECUTION OF STANDARD ARCHDIOCESAN LEASE OR OCCASIONAL USE FORMS.

Any use of school grounds by outside organizations (Catholic or otherwise) must be conditioned on the signing of the applicable standard Archdiocesan User/Lease form (e.g. Occasional Use form, Space in Building form, and Entire Building Lease form) available through the Archdiocesan Real Estate Office. These forms contain, *inter alia*, hold harmless and insurance provisions that will protect the parish/school/high school/Archdiocese in the event of a claim. The Occasional Use form can be signed (so long as no amendments are made) by the Principal/President alone. The Lease forms must be signed by the Archbishop or his duly authorized corporate legal delegates at the Archdiocese offices.

These forms are also drafted so as to assure that not only an Archdiocesan institution's legal interests are adequately protected, but also to allow appropriate intervention in the event that any activity is proposed, or in fact occurs, which is in conflict with the teachings of the Catholic Church.

III. SPECIFIC TYPES OF USES

A. Film-making. There are many beautiful and spacious buildings owned by the entities of the Archdiocese of San Francisco and it is sometimes difficult for government officials, members of the community, and the film-making industry in particular to understand that the Archdiocese of San Francisco is not in the business of renting or leasing its property to production companies, and such accommodations can only be considered when the production positively portrays and upholds the principles, morals and values for which the Catholic Church stands. Such filming also cannot unduly interfere with the primary administrative tasks, goals and time for which the personnel and facilities of the Archdiocese are devoted. Special attention must be given to any proposed use of a church building dedicated to divine worship. In this regard the parishes and agencies of the Archdiocese should be guided by the Motion Picture/Television Production Policy Resolution, presented by the Council of Priests and approved by the Archbishop in August of 1994. For ease of reference that policy is set forth in full below.

1. *The use of church property for motion picture or television production must be arranged through the Archdiocese Director of Communications.*
2. *Anyone employed by the Archdiocese who is approached directly by a production company or individual must direct the inquiry to the Director of Communications.*
3. *The Director of Communications will take the following steps:*
 - a) *Request a working script from the producers in advance.*
 - b) *Make certain the film or television production contains nothing offensive to Church teachings and environment.*
 - c) *Meet with the producers to clarify any questions concerning the script.*
 - d) *Make certain the appropriate compensation is discussed for the selected Archdiocesan property, and any entity which may be inconvenienced by the production and the technical advisors.*
 - e) *Meet with the administrator of the property to make certain the proposed project is supported by him/her and that it will be beneficial to the Church.*
4. *After the above steps have been followed:*
 - a) *The Director of Communications will present the project proposal to the Archbishop for approval.*
 - b) *If the Archbishop has any concerns or questions he would seek advice and counsel from appropriate sources.*
5. *If the Archbishop approves the project, then the Director of Communications will:*
 - a) *Inform the appropriate administrators.*
 - b) *Assign a technical advisor to work with the project.*
 - c) *Request the production company meet with the Archdiocesan attorney to draw the contract.*
 - d) *The administrator of the property and/or the Director of Communications will oversee the implementation of the Agreement.*

B. Political Candidates and the Use of Archdiocesan Property for Purposes of Public Forums, Debates, and Lectures on Archdiocesan Property.

In theory, non-partisan activity of this nature is permitted in connection with Church grounds. However, in practice, this is virtually impossible because the "nonpartisan", "non-biased" standards of the IRS essentially translate to a requirement of uncensored, equal access to all candidates (Including, for example, those promoting even the most blatantly offensive anti-Catholic conduct, platforms, messages, ads, etc. And, even where this does not in fact take place, providing candidates access to Church grounds

(either directly by the Church or indirectly through Lessees, etc.) can create the unwanted impression that the Church supports a particular candidate for office). Therefore, no such activity of this nature should take place on Archdiocesan property.

Note: In situations where a campaign has already been decided and there is a desire by the community to gather, on a non-partisan, ecumenical-sponsored basis to pray that government officials will receive wisdom and guidance, this can be done on church grounds, though prior clearance with the Archdiocese office should take place.

Note also: The above referenced restrictions concerning political candidates on Archdiocesan property should not be confused with permissible issue oriented speech and lawful lobbying activity which can take place on the property.

Conclusion: The above-referenced Policies and Procedures are designed to provide Pastors, Principals and Agency Heads with a ready resource when faced with proposed uses of Archdiocesan properties by outside individuals and organizations. The Vicar for Administration or Archdiocesan Legal Counsel should be contacted well in advance of the proposed event or use in order to put together the appropriate contract and/or provide assistance when there is doubt as to whether a particular use is in accord with these policies and procedures.

OCCASIONAL USE AGREEMENT:

Instructions

This agreement should be prepared in duplicate originals so that the Parish/High School and Organization each can retain an original. The Parish/High School should staple the certificate of insurance to the agreement and retain the same in the Parish/High School file for future reference.

If the organization has questions about the insurance requirements it should be told to have its insurance agent contact the Gallagher Heffernan office. However, in such event, the Parish/High School should notify Gallagher Heffernan in advance with all details concerning the arrangement so that office can be prepared to respond accordingly.

**AGREEMENT
Occasional Use**

Sample document

This AGREEMENT is between _____
("Parish/High School") and _____ ("Organization") relating to the following
facilities: _____; at _____, California
_____.

Parish/High School grants Organization permission to use such facilities for the following purpose:
_____ on the
date(s) and time(s) as listed below:
beginning on _____ and ending on _____, from __:00 a.m./p.m. to __:00 a.m./p.m.

Limitations on Use: The premises shall not be used for any other purpose than that specified above
without Parish/High School's prior written consent. It is specifically understood and agreed that
Organization shall not commit or permit any acts on the premises nor use or permit the use of the
premises in any way that contravenes the teachings of the Roman Catholic Church.

Organization agrees to pay the amount of \$ _____ for costs and expenses.

This permission is granted upon these additional terms and conditions and is nonassignable:

- 1) Organization shall leave the facilities in a clean and orderly condition and, if any alterations
were allowed, restore the facilities to original condition: and shall repair any damage caused by
its negligence or neglect or that of its representatives or invitees.
- 2) To the extent permitted by law, Parish/High School (including The Archdiocese of San
Francisco) shall not be liable to Organization for any damage to Organization or Organization's
property from any cause, and Organization hereby releases and discharges Parish/High School
from any and all claims against Parish/High School for damage to person or property arising for
any reason in connection with the premises, whether or not such damage to person or property is
caused by the negligence (active or passive) of Parish/High School, excepting only damage
resulting from the Parish/High School's willful misconduct.

Organization shall indemnify, defend and hold Parish/High School and the Archdiocese of San
Francisco free and harmless from any and all claims, liability, loss and responsibility of any
kind or character in connection with the premises, or use thereof, whether caused or alleged to
have been caused by the negligence (active or passive) of Parish/High School, including without
limitation injuries to or death connected with or resulting from this Agreement, or the use of the
premises by Organization or others, or from the failure of Organization to keep the premises in
good condition as provided herein, excepting only matters caused by the Parish/High School's
willful misconduct.

- 3) Organization shall provide and maintain comprehensive liability insurance (& host liquor or
liquor liability - if liquor is served) during the period covered by this agreement insuring
Parish/High School (including the Archdiocese of San Francisco) and Organization against
liability for bodily injury (including death) and property damage from occurrences in or about

the facilities, or the use or condition thereof, with combined single limit of \$1,000,000. Such insurance shall be primary and not contributing with any other insurance in effect for the Parish/High School and be evidenced by a certificate of insurance and related endorsement.

Organization agrees that it will provide a copy of this document and the sample insurance endorsement to its insurance agent well in advance of the event and will require such agent to provide the Parish/High School with evidence of the required coverage prior to the event.

- 4) As used herein, the term Archdiocese of San Francisco includes the above-named Parish/High School and also The Roman Catholic Archbishop of San Francisco, a Corporation Sole and The Roman Catholic Welfare Corporation of San Francisco, and their respective employees, officers, agents and other representatives.
- 5) Organization represents that it is organized and operated as a nonprofit organization and such facilities shall be used exclusively for religious and/or charitable purposes or for uses incidental thereto.
- 6) Parish/High School may terminate this agreement, and permission to use such facilities, at any time for good cause, including but not limited to failure to provide the required insurance certificate and endorsement, without obligation except to refund any amount which Organization has paid. Good cause shall also include any unexpected overriding need of the parish [as determined in good faith by the parish] so long as ten (10) days advance notice is provided.
- 7) Any special provisions: [insert]
- 8) This instrument constitutes the entire agreement between the parties and may only be amended by a written agreement signed by both parties.

Dated: _____

(NAME OF ORGANIZATION)

By _____

Title _____

Dated: _____

(NAME OF PARISH/HIGH SCHOOL)

By _____

Title (Pastor/President/Principal)

Sample document

Appendix 3

C. Supplemental Programs at Schools and Independent Contractors

If a particular program is not school owned or operated then, for property tax exemption and other reasons, no use of the school facility, whether through a formal lease, “donation arrangement” or otherwise, by a private individual or organization is permitted unless the user is a tax exempt (i.e. a nonprofit) organization. (The exception to this is the use of the parish hall; etc., for private celebration, such as wedding receptions, which are incidental to religious ceremonies which take place at the parish.) Therefore, if an individual or organization proposes a program which the school wishes to facilitate (but not as a part of the school program) the organization must be tax exempt and the standard Archdiocese lease form, which requires “hold harmless” and insurance protection, must be utilized.

If the person or organization is not tax exempt, but the principal is otherwise interested in, and consents to adding, a proposed class or program as an integral part of the school’s program (whether during normal school hours or otherwise) the school may do so. The normal, least confusing, and legally cautious approach (both for IRS employee classification purposes and maximum administrative oversight) would be to simply hire the particular individual running the class or program as an employee of the school.

In exceptional circumstances (e.g. where a parent, parishioner, etc. is in the business of providing a unique service or program that the school wishes to engage in, it may be possible for the school to contract with such individual as an independent contractor to provide the service (similar to hot lunch food programs provided for on the premises by private, for-profit food service contractors). However, under such circumstances, the program must still be a school program and the independent contractor must be able to provide appropriate “hold harmless” and insurance protection to the parish/Archdiocese. All fees, etc., collected in connection with the program must be paid to the school, not to the private individual. Any such independent contractor arrangement must be signed by the principal of the school, as well as the officers of the Roman Catholic Welfare Corporation of San Francisco, on a standard form which is available through the Department of Catholic Schools.

A reminder, however, that audits by the Internal Revenue Service have revealed that over 90% of the time individuals listed by various companies as “independent contractors” are in fact employees. Failure to properly classify an employee and to take out appropriate withholdings can result in assessments for back taxes as well as penalties. The general principle which the IRS operates from when examining the subject of employee/independent contractor status is as follows:

Generally the relationship of employer and employee exists when a person or persons for whom the services are performed have the right to control and direct the individual who performs the services, not only as to the result to be accomplished by the work but also as to the details and means by which that result is accomplished.

The IRS examines 20 factors (not necessarily equally weighted) to evaluate these elements of control and direction. Classic independent contractors ordinarily do not have a continuing relationship with the organizations not do they worked set hours of follow specific policies and procedures of the employer. Examples include a plumber who comes to fix a leaky pipe at the school or an accomplished singer who travels the country and performs on night religious concerts at selected schools/parishes. As suggested earlier in the policy, individuals must be able to demonstrate that they have their own business (i.e. have many other clients, a business license, card and office, liability coverage, etc.), are able to perform the work without detailed supervision and control, and can furnish their own tools and materials necessary to perform the tasks at hand, etc.

The school must decide whether it is willing and able to establish an added school program. If the school wishes to facilitate a proposed program but does not want any direct involvement in the same, then (if, the individual or organization is tax exempt) the premises can be leased using the standard Archdiocesan lease forms available through the Archdiocesan Real Estate Office. If the individual involved is not tax exempt then no use of the property is possible (e.g. a person who teaches piano lessons to a small number of children the school or a ballet teacher who uses the school for a class) unless the program is integrated into the school. In such case it is highly recommended that the individual directing such a program or activity simply be added as a paid employee of the school. If the school prefers that the matter be contracted out to a bona fide independent contractor then such arrangement must be established pursuant to, and comply with all of the terms and condition of the standard Archdiocesan form which must be executed by the appropriate Officers of the Roman Catholic Welfare Corporation.

Independent Contractor Checklist

1. Is the work an integral and regular part of the business of the employer?
 Yes No
2. Is the work on-going in nature rather than brief, focused and unique?
 Yes No
3. Is the bulk of the work skilled and specialized?
 Yes No
4. Does the worker have an occupation or business distinct from that of the employer?
 Yes No
- Is there evidence of a business license? (If yes, please attach copy) Yes No
- Is there evidence of a business card? (If yes, please attach copy) Yes No
- Is there evidence of a yellow page listing? (If yes, please attach copy) Yes No
- Is there evidence of professional liability insurance? (If yes, please attach copy)
 Yes No
- Is there evidence of multiple and current clients? (If yes, please attach names)
 Yes No
- Is there evidence of multiple associates/employees working for this individual's business?
(If yes, please attach names) Yes No
5. Is the work significantly different from work being performed by other Archdiocesan employees?
 Yes No
6. What amount of time, if any, does the person spend working at the Archdiocesan organization; what, if any, space or materials of the Archdiocese are used; and what if any, significant profit/loss risks (e.g. Un-reimbursed overhead) are involved?

7. Does the employer have the right to control the manner and means of accomplishing the desired results (even if that right might not be exercised)? Yes No
8. What percentage of the individual's current "business" is for the Archdiocese? %
9. Is the person paid to complete a set job at a set fee without regard to the numbers of hours ultimately worked on the project? Yes No
10. Does the worker set his/her own hours using his/her own discretion? Yes No

NOTE: The above items reflect most of the common law factors considered by the I.R.S. in determining whether or not a person is a bonafide independent contractor. Misclassification can result in assessments for back taxes and penalties. The I.R.S. does not weigh the answers equally as a "Yes" or "No" to a single item or two is not conclusive as to the outcome. However, "Yes" answers to items 1, 2 & 7 and "No" to items 3, 4, 5, 9 & 10 along with a high percentage in item 8 are strong indicators of employee status.

Sample Document

CONTRACT FOR SERVICES--Schools

THIS AGREEMENT is made this ____ day of _____, 20__, between THE ROMAN CATHOLIC ARCHBISHOP OF SAN FRANCISCO, A Corporation Sole, having a principal place of business at One Peter Yorke Way, San Francisco, CA, 94109, hereinafter referred to as the "Client", as Owner and Operator of _____ School in _____, California ("School"), and _____, an independent contractor, having a principal place of business at _____, hereinafter referred to as the "Contractor."

It is hereby agreed:

- 1) Term of Contract. This Agreement will become effective upon execution and will continue until the services referenced herein have been performed, unless this contract is sooner terminated as herein provided.
- 2) Services to be Performed by Contractor. Contractor agrees to provide the services set forth in the attached "Exhibit A".
- 3) Fee for Services. Contractor shall be paid the fee set forth in Exhibit A, payable upon completion of said services.
- 4) Independent Contractor. Contractor will act as an independent contractor. Therefore, Client will pay no employer costs (i.e. workers' compensation, taxes or benefits). Contractor shall devote as much time to the project as is necessary to effectively accomplish its purpose. Contractor warrants that any of Contractor's employees assigned to performance of this Agreement shall be covered by Contractor's Worker's Compensation Insurance if, and to the extent, required by law.
- 5) Termination Upon Notice. This Agreement can be terminated by Client at any time, for any reason. If the Agreement is terminated as provided for herein, then Contractor shall be paid on a *pro rata* basis for all work performed through the date that such termination notice is received by Contractor.
- 6) Hold Harmless/Insurance. Contractor agrees to defend, indemnify and hold Client free and harmless from any and all claims arising from any negligent acts or omissions committed by Contractor or Contractor's agents during the performance of any duties under this Agreement.

Contractor agrees to maintain a policy of insurance in the minimum amount of \$1,000,000 to cover any negligent acts committed by Contractor or Contractor's employees or agents during the performance of any duties under this Agreement and shall name Client as an additional insured on Contractor's policy, as

evidenced by an appropriate certificate of insurance and endorsement (sample copy attached).

- 7) Employees Qualified to Have Contact With Minors. Contractor agrees that it shall follow all procedures set forth in California Law pertaining to the performance of background checks of potential employees (including, without limitation, the requirements of Section 44237 of the California Education Code as the same may hereafter be amended, requiring the submission of fingerprints to the Department of Justice for the purpose of obtaining a criminal record summary from the Department of Justice and the Federal Bureau of Investigation prior to employment for work in contact with minors). By providing, assigning or making available any person to or for Client, Contractor warrants that Contractor has fulfilled all the requirements of law with respect to criminal background checks of such person, and that such person is fully qualified under California law to work with minors. Contractor agrees that no such person who has a record of criminal conviction or a pending arrest proceeding of any kind shall be made available, assigned or provided to or for Client without the express prior written approval of a corporate officer of Client. Contractor further warrants that all persons provided or assigned to or for Client shall be in possession of any and all current and valid permits and licenses required by law for a person performing the work for which he or she was provided to Client.
- 8) Time is of the Essence. Time is of the essence in this Agreement.
- 9) Assignment. Neither this Agreement, nor any duties or obligations under this Agreement, may be assigned without the prior written consent of the Client.
- 10) Notices. Any notice under this Agreement shall be sufficient if written and delivered personally or by First Class Mail to the addresses listed at the beginning of this Agreement.
- 11) Attorney's Fees. If any action at law or equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing party will be entitled to reasonable attorney's fees, which may be set by the Court in the same action or in a separate action brought for that purpose, in addition to any other relief to which the party may be entitled.
- 12) Entire Agreement of the Parties. This Agreement contains the entire Agreement of the parties and supersedes any and all prior agreements, either oral or written, between the parties hereto with respect to the rendering of services by Contractor for Client. Any modification of this Agreement will be effective only if it is in writing signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement the day of the year first above written.

THE ROMAN CATHOLIC ARCHBISHOP
OF SAN FRANCISCO, A Corporation Sole

By: _____

Its: _____

CONTRACTOR

By: _____

Its: _____

Tax I.D. #

Sample Document

"Exhibit A"

SERVICES TO BE PERFORMED BY CONTRACTOR

Sample Document

Appendix 4 Policies and Procedures Regarding Child Abuse and Harassment (2001) and Addendum (2003)

(See Archdiocese of San Francisco Website at www.sfarchdiocese.org)

Appendix 5 Archdiocesan Board of Education By-Laws

ARCHDIOCESAN BOARD OF EDUCATION

BY –LAWS

ARTICLE I NAME

The name of this Organization shall be THE BOARD OF EDUCATION OF THE ARCHDIOCESE OF SAN FRANCISCO, hereinafter referred to as the Board.

ARTICLE II PURPOSE, RESPONSIBILITIES AND ACCOUNTABILITY

Section 1. The purpose of the board is to provide participation by the general Catholic community of the Archdiocese of San Francisco with the Archbishop in the formulation of goals, governing policies and procedures for Catholic Education in the Archdiocese of San Francisco.

Section 2. The board shall have the responsibility to formulate policy recommendations governing all matters falling under the Jurisdiction of the Department of Catholic Schools.

Section 3. The board shall have the right to:

- a. Be involved in consultation concerning the assignment of the Superintendent of Schools.
- b. Hold the Superintendent of Schools and the staff of the Department of Catholic Schools accountable for the execution of all policies formulated by the Board.

Section 4. All decisions of the Board shall be subject to the approval of the Archbishop and when so approved shall be binding upon the Superintendent of Schools, the staff of the Department of Catholic Schools, parish or other local boards of education, the pastors, the principals, directors and staff of all school and educational programs within the Archdiocesan system.

Section 5. All policy statements of this Board will be recorded in the Administrative Handbook.

ARTICLE III MEMBERSHIP, APPOINTMENT AND TERM

Section 1. The Board shall be composed of seventeen voting members, appointed by the Ordinary to include clergy, religious, and laity of the Archdiocese. The Board shall propose to the Ordinary for appointment

voting members from those persons nominated by the Catholic community at large. In addition to the at large nominations, the Council of Priests shall place in nomination two priests. The Board's composition should include two pastors and one other priest, either an associate pastor or a special worker. No more than four persons whose exclusive work is subject to Board policy may serve on the Board at the same time. All counties of the Archdiocese shall be encouraged to submit nominees for appointment to the Board. Voting members shall take office on July 1st of each year.

Ratified May 20, 2004

- Section 2. The Superintendent of Schools shall be an ex officio member of the Board having a voice but no vote at Board meetings.
- Section 3. The staff of the Department of Catholic Schools may act as consultants to the Board, having a voice but no vote at Board meetings.
- Section 4. Voting members of the Board shall be appointed for terms of five years unless appointed to fill an un-expired term. In cases when the un-expired portion is less than half the term, the appointee shall be eligible for reappointment for a full term.

Ratified April 18, 2002

- Section 5. A member absent without cause for three meetings in the course of a year, shall cease to be a member and shall be so notified.
- Section 6. Vacancies in the voting membership of the Board shall be filled by appointment of the Ordinary from among persons proposed by the Board from among those persons nominated by the Catholic Community at large.

ARTICLE IV OFFICERS

- Section 1. The voting members shall, at the regular May meeting of the Board, elect one of their number to serve as chairperson for one year. The chairperson shall preside at all regular and special meetings of the Board, and shall have the right to vote on all issues and participate in discussions.
- Section 2. The voting members shall, at the regular May meeting of the Board, elect one of their number to serve as vice-chairperson for one year. In the absence of the chairperson, the vice-chairperson shall preside at all regular and special meetings of the Board.
- Section 3. The recording secretary of the Board shall rotate from among the members of the Board. A member of the Department of Catholic

Schools shall see that all notices are given in accordance with provisions of these by-laws. Official minutes of the Board shall be in the custody of the Department of Catholic Schools.

ARTICLE V MEETINGS

Section 1. The Board shall meet regularly once each month, except during the months of July and December, on a day and time to be selected by the Board.

Ratified April 18, 2002

Section 2. Special meetings of the Board may be called at the discretion of the chair, or at the request of at least four voting members.

Section 3. All regular and special meetings of the Board shall be open meetings. Time and place of meetings of the Board shall be published in the official publication of the Archdiocese prior to the meeting.

Section 4. A majority of the total Board voting membership shall constitute a quorum.

Section 5. A majority of the total board voting membership is necessary to approve any policy action of the Board unless there are less than twelve (12) voting members present. in which case nine (9) aye votes shall pass any policy action item.

Ratified May 20, 2004

Section 6. Matters requiring a policy action by the Board may not be voted upon at the meeting at which they are introduced unless two-thirds (2/3) of the total voting membership votes to suspend the rules.

Section 7. The Board retains the right to meet in Executive Session to study any issues and make decisions on non-policy matters.

ARTICLE VI MEETINGS

Section 1. The Board shall provide for such standing committees as are necessary to expedite its business. In consultation with the Board, all committee members shall be appointed by the Chair .

Section 2. All Board members shall be expected to serve on Board committees.

Section 3. The Board may provide for special ad hoc committees as may be necessary.

Section 4. The Chair in consultation with the Board may appoint persons other than Board members to serve on standing and ad hoc committees.

ARTICLE VII PARLIAMENTARY AUTHORITY

Robert's Rules of Order Newly Revised shall govern the proceedings of this Board in all cases not provided for in these By-laws or Standing Rules.

ARTICLE VIII AMENDMENTS

These By-Laws may be amended or repealed in whole or in part at any time by a vote of at least two-thirds (2/3) of the total voting membership of the Board.

Adopted as revised January 17, 1991

STANDING RULES

The regular meetings of the Board shall be held on the third Thursday of the month.

No policy item shall be placed on the Agenda unless an oral or written request for placement of said item is made to the Chairperson of the Board, or the Secretary, at least two weeks before the Board meeting.

Ratified January 17, 1991

Revised May 2004

**Appendix 6 Policies Concerning:
Parish School Consultative Boards
Parish Consultative Boards of Education**

Policies

Concerning

Parish School Consultative Boards

Parish Consultative Boards of Education

Archdiocese of San Francisco

**POLICIES GOVERNING PARISH SCHOOL CONSULTATIVE BOARDS
and/or PARISH EDUCATION CONSULTATIVE BOARDS**

Archdiocese of San Francisco

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Policies Governing Parish School Consultative Boards/Parish Education Consultative Boards

Archdiocese of San Francisco

Over a decade has passed since the Archdiocesan Board of Education published a document entitled Guidelines For Parish School Boards/Parish Boards of Education. The time has come then to re-examine the subject and to make appropriate revisions. These revisions reflect not only the changes, which have taken, place pursuant to the revised code of canon law but they also clarify the civil law relationship between these types of parish auxiliary organizations and the Archdiocese of San Francisco. Specifically, any Parish School Consultative Boards which are established must clearly reflect the fact that the Board is consultative only, that the Board exists at the canonical pleasure of the pastor, and that no amendments to the Board statutes may be made without the written approval of the pastor or the authorized corporate officials of the Archdiocese of San Francisco. The Parish Consultative Board should not use terms such as "Bylaws", "President", etc. in order to avoid potential confusion with the school authority granted through Corporate Boards, Bylaws and Offices. Model "statutes" or "procedures" for a Parish School Consultative Board are attached to these policies. No deviation from the provisions marked with an asterisk are authorized without the prior review and approval of the Archdiocesan Legal Office and the Superintendent of Schools.

1.0 RATIONALE:

The Bishops clearly state in their pastoral, TO TEACH AS JESUS DID, that "planning and implementing the educational mission of the Church must involve the entire Catholic Community and that such involvement is achieved through structures and processes representative of the Community." (TTJD-139)

The basic principle underlying the Bishops' statement is that those responsible for the funding and administration of school and parish educational programs should provide a means for conferring with those members of the community who are in any significant way (1) affected by policy, e.g., parents with regard to tuition rates, or (2) responsible for implementation of policy, e.g., the principal or coordinator with regard to admissions.

2.0 TYPES OF CONSULTATIVE BOARDS

2.1 Parish School Consultative Boards

These policies are directed primarily to those bodies responsible for providing advice and assistance in connection with the well being of a parish school. Common titles for these bodies are: "School Consultative Board", " Parish Education Consultative Committee", etc.

2.2 Parish Consultative Boards of Education

In some instances, a parish may choose to combine the function of the school consultative board with a broader steering group. This might take the form of a Consultative Board of Education, which would have the responsibility for providing advice and assistance to the Pastor in regard to the total educational apostolate of a parish.

3.0 RESPONSIBILITIES OF THE CONSULTATIVE BOARD

3.1 Relationship to the Pastor/Parish Council

The Pastor, in consultation with the Parish Council, is responsible for establishing goals and policies that give direction to, and assist in, the development of the parish as a whole. The Pastor does so in accordance with the provisions of Canon Law, Archdiocesan Policy, and the limitations imposed by the civil law corporate structures of the Archdiocese.

The School Consultative Board/Consultative Board of Education, as a subordinate auxiliary of the parish, would have responsibility for providing advice and assistance in the development of policy for school/educational programs. Its responsibilities, which are advisory only, would include:

- a. Providing advice and assistance in the development of policy for school/parish educational programs.

- b. Making recommendations to the Pastor/Parish Council concerning resources needed for the development of school/parish educational programs.
- c. Involvement in the hiring and periodic evaluation of the School Administrators. The School Consultative Board would assist in setting the criteria and be involved in providing advice on the hiring, evaluation and dismissal of the school administrators.
- d. Building a relationship of the parish school to the entire community, civic and cultural groups, and public schools of the area.
- e. Monitoring and evaluating programs in the parish school growing out of their policy recommendations.

3.2 Relationship to the Administrators

The Consultative Board is responsible, when called upon, for recommending Policy and Standards for School/ Parish Educational Programs. Policy gives direction; it does not tell how to get there.

Some examples of Policy would be:

- what type of educational program should exist in the School/Parish;
- what criteria should be followed in selecting staff.

The Administrators are responsible for developing methods and programs to implement policy, i.e., how it is to be done. Some examples are:

- selection and development of staff;
- selection of curriculum and related materials;
- development and administration of budgets. (cf 6.2 for further examples of the delineation of responsibilities between the Board and the Administrators.)

3.3 Relationship to the Parish Community

"The Parish School Consultative Board", through its word and actions, must seek to represent the full spectrum of the parish community. Its deliberations should be marked by a spirit of "Catholicity" which works to break down barriers, displaying a sense of concern and compassion for all, especially the most needy. In a very real sense, the Board should see itself as both conscience and voice of the full faith community as it seeks to realize, through education, the ministry of Christ.

4.0 MEMBERSHIP:

The parish school board/board of education should be large enough to include a variety of opinions and abilities, but not so large that discussion would be hampered. The general recommendation is that there be no more than eleven members, nor less than five.

4.1 Pastor and Administrators

The pastor and educational administrator, as ex-officio members of the school board, are non-voting members. The principal of the school or religious education coordinator may be designated as the "Administrator" of the school board/board of education.

4.2 Lay Members

It is recommended that the lay members of the parish consultative board be elected, not appointed. In the initial years of establishment and orientation of the board, it might be well to adhere to the appointive procedure in order to promote greater stability and quality of representation than might result through an uncertain electoral process. Despite difficulties, some type of election procedure should be decided upon following the initial years of operation of the board. The increased acceptability of elected members and their sense of obligation toward the electing body make this method preferable to the appointive process. The size of the parish and local circumstances would dictate procedures. The Pastor must always reserve the right to dismiss members of the board, exercising of course prudence and wisdom in doing so.

No board member should have the legal right or authority to represent the Board except when so delegated.

It is recommended that no one whose exclusive work is subject to the board be proposed for board membership. This could set up a conflict of interest.

4.3 Appointments

If all or some of the lay members of the board are to be appointed, care should be exercised that the one appointing, terms of membership, and constituencies are specified in the By-laws.

4.4 Nominations and Elections

If an electoral process is established, it can be handled in a number of ways. The following procedures are samples for consideration and are not presented as models to be adopted. One possibility, when establishing a new board, is to have the pastor nominate three people, the educational administrators three, and the parish associations five. Another possibility is to have completely open nominations: all parishioners or all parents suggest names, and those who are suggested most often become the nominees. Persons should be nominated who have a vision of the total educational apostolate of the parish. The names of the nominees, information about them, and notice of elections should be given to the parishioners. Parishioners should not be asked to vote on the same day that they receive the list of nominees. The election procedures

may be handled by mail or by distributing ballots at the Sunday Masses at least one week after the list of nominees has been circulated. Voter eligibility should be specified in the By-laws of the board.

4.5 Term of Membership

On many boards, members hold a two-year term, renewable once. A one-year term does not allow a person to become knowledgeable and/or effective. A term longer than two years might deter prospective board members. Some boards prefer the three-year term. Terms of members should be staggered so that at no time will every member of the board be newly elected or appointed. Members of a newly established board might draw lots for one, two, or three-year terms.

4.6 Attendance

A member absent without cause for three meetings in the course of a year should cease to be a member and be so notified.

4.7 Vacancies

In the event of a vacancy of an elected member of the board, the remaining members shall fill the vacancy by appointment for the rest of the term. In the event of a vacancy of an appointed member of the board, the person or association appointing shall fill the vacancy by appointment for the rest of the term.

5.0 LEADERSHIP:

A general rule is to have only officers that are needed. For most boards, a chairperson, a vice-chair and a recorder suffice.

5.1 Chairperson

The chair plans meetings with the administrator and the pastor, guides meetings so that issues are discussed adequately and decisions reached without undue delay. The chair will be called upon periodically to represent the total board. It is the duty of the chair to see that the board fulfills its responsibility of policy-making, budget decisions and other specified functions. It is the responsibility of the administrators, not the board, to see that the educational programs function well and that board policies are implemented, but it is the responsibility of the chair of the board, not the administrators, to make sure that the board operates well.

5.2 Vice-Chairperson

The vice-chairperson assumes the duties of the chair in case the latter is temporarily unable to perform such duties. The vice-chair is often called upon to take over special duties, e.g., parliamentary, chairperson of important committees, etc.

5.3 Recorder

The recorder of the board should handle board business. A non-board member should be designated to take the minutes to allow the recorder to participate fully in discussions.

5.4 Nomination and Election of Officers

Officers should be elected by the full board membership. No elective officer should be elected to the same office for more than two consecutive terms. The practice is discouraged of having a nominating committee suggest prospective officers, one candidate for each office. This practice allows a small group, rather than the full board, to elect the officers, because a board rarely rejects the recommendations of its nominating committee. The Rules of Procedure should stipulate that officers be elected by ballot rather than by voice or hand vote. These stipulations will guarantee that each board member will be able to vote freely for the person he/she considers most qualified.

5.5 Pastor

Because of his other duties and special relationship to different educational programs and parish, and because of the importance of the lay involvement issue, the pastor should not be an officer of the board.

5.6 Administrator

The Principal of the school, or the Religious Education Coordinator of the parish, or other designated administrator with broad responsibility for implementing board policy, should be designated "Administrator" in accord with 9.0 of these guidelines.

6.0 COMMITTEES

As with officers, committees should not be multiplied needlessly. It is useful to keep in mind the difference between ongoing (standing) committees and temporary (ad hoc) committees. The chair of the board ordinarily appoints all committee members.

6.1 Effectiveness

The primary responsibility for committee effectiveness lies with the committee chair. If he/she fails to exercise this leadership, the board president should tactfully but firmly apply pressure. Implementation steps and evaluation process should be part of each committee recommendation to the board.

6.2 Responsibilities

A common mistake of boards and board committees is to become over involved in what is essentially staff work. For example, the finance committee should analyze the budgets of each educational unit in every detail and advise the board, but it is not their responsibility to prepare the budgets. That is the responsibility of the administrators. Another example is the collection of tuition and fees, which is the function of the administration, not the board. (For further information concerning the responsibility of the board, confer 3.2 of these policies.)

6.3 Committee Membership

A board committee may include people who are not board members. Certain members of the parish may have expertise in areas such as finance or maintenance, and they could certainly be members of appropriate committees, though not currently members of the board.

7.0 MEETINGS

Generally, the Board should meet every month except July or August, or both. The meetings should be scheduled on the same day of the month, e.g., the third Tuesday, and at the same time, so that board members could plan ahead and parents and parishioners would always know when the board was to meet.

7.1 Open Meetings

All meetings of the board should be open unless the chairperson feels it necessary to call an executive session to discuss personnel matters or the pastor otherwise determines that special circumstances warrant a closed meeting. The statutes or procedures should contain a definition of "open meetings" and clearly state the condition justifying "executive sessions". No member of the board should be excluded from executive sessions unless the matter under discussion directly affects him/her, e.g., the renewal or non-renewal of the contract of an administrator who is an ex-officio member of the board.

All voting should be done in open sessions. Notice of board meetings should be given through the parish bulletin and/or a bulletin sent home to parents.

7.2 Responsibility for Planning

Meetings should be well planned before the day of the meeting, preferably by the executive secretary in consultation with the chair and the pastor. They should decide what issues are to be placed on the agenda and in what order of priority. Board members should have the right to request items be placed on the agenda by contacting the chair. A specific amount of time should be allocated for each item.

7.3 Agenda Materials

Agenda and other pertinent materials should be sent to the members of the board at least one week prior to the meeting. This is especially important when there are major decisions to be made on policy or budget.

7.4 Length of Meetings

It is the responsibility of the chair of the board to see that each meeting is well planned, and to have some idea of the amount of discussion time to be given to each agenda item, and thus to know the overall time of the meeting. The chair should keep the meeting moving rather than allow it to drift into long discussion of little value. He/she should not be afraid to take a strong hand in cutting off lengthy and/or irrelevant discussion. If the agendas are planned well, with an eye to total time, and if the chair runs the meetings well, there should be no concern about the length of the meetings.

7.5 Structure of the Meetings

It is strongly recommended that board meetings be divided into two main sections, action items and information items, with action items placed first on the agenda. The agenda should approximate the following model:

- I. Call to Order
- II. Action items
 - A. Approval of Minutes
 - B. Decision on Preliminary Budget Proposal
 - C. Decision on Policy Proposal (second reading)
 - D. Decision on Policy Proposal (first reading)
- III. Reports
 - A. Finance Committee
 - B. Administrators
 - C. Other Board Members
- IV. Board Member Items
- V. Comments From the Floor
- VI. Adjournment

Items requiring board decisions should be placed first on the agenda when there is flexibility of time, the important decisions preceding those of lesser importance. Some boards proceed through a long series of reports and miscellaneous discussion, and after nearly two hours come to the most important issues. Board members are tired and some may have to leave early.

7.6 Method of Procedure

A regularly established set of procedures, e.g., Roberts' RULES OF ORDER should be adopted. Although a very informal decision-making process is adequate much of the time, there are cases when the process needs to be more formal. The statutes should state clearly the normal parliamentary procedures and the operating procedures, e.g., whether policy proposals must be introduced at a meeting prior to that which the final vote is taken. They should also state that ordinarily only matters on the prepared agenda be considered. The statutes must provide that the pastor reserves the right to modify the procedures if he determines that special circumstances warrant as such.

8.0 ROLE OF THE PASTOR

The pastor is vitally important to the effective functioning of the Catholic Parish School Board/Board of Education. The pastor should support the board in every way possible, attend all meetings, and is an ex-officio member of the board. Experience suggests that the school board/board of education is successful in direct proportion to the positive involvement of the pastor.

8.1 Veto Power

If the jurisdiction of the board and its relationship to the pastor/parish council are properly understood and respected, the "veto authority" referenced throughout these policies and the model statutes, should be avoidable, especially if the planning and documentation of the board agenda are in accord with the policies (7.2 and 7.3). In the most vexatious areas - employee terminations or student expulsions, sacramental/liturgical practices, admissions criteria - sections of Archdiocesan regulations (e.g., Administrative Handbook for Elementary and Secondary Schools, directives of the Liturgical Commission, etc.), if properly used and understood, should minimize the hazards.

9.0 ROLE OF THE ADMINISTRATOR(S):

The Administrators are responsible for identifying policy issues and presenting policy proposals, entering into discussion of issues before the board, reporting to the board on program operation, and implementing board recommendations that are approved by the pastor. As in the case of the pastor, it is important that the administrators work closely with and support the board. Occasions may arise when the board makes recommendations that are contrary to the recommendations of the administrators, but the administrators are obligated to respect them while deferring to the pastor. The administrators make administrative decisions within the policy, program and budget limitations recommended by the board and approved by the pastor.

The principal of the school, the religious education coordinator, or another administrator would normally be appointed the "Administrator" of the parish school consultative board/parish education consultative board. In this role, the person would be responsible for planning board

meetings together with the chairperson. The person who is the administrator must remember that, in this role, he/she is responsible for the total educational program, not just the areas in which he/she works.

10.0 STATUTES OR PROCEDURES:

Every school board/education board should have written statutes or written procedures incorporating these policies. Sample statutes are appended.

11.0 PARISH SCHOOL CONSULTATIVE BOARD/PARISH EDUCATION CONSULTATIVE BOARD AND ARCHDIOCESAN BOARD OF EDUCATION:

The Archdiocesan Board has the responsibility to formulate policy recommendations governing all matters falling under the jurisdiction of the Office of Catholic Schools. These policy decisions affect individual parish educational programs and parish school boards/parish education boards. These policy decisions affect individual parish educational programs and parish school board/parish boards of education. Policy decisions of the Archdiocesan Board cover broad areas where policies are needed for all programs within the educational system. It is the responsibility of the parish school board/parish education board to set specific policies for its parish educational programs, e.g., tuition, uniform, etc.

12.0 PARISH SCHOOL CONSULTATIVE BOARD/PARISH EDUCATION CONSULTATIVE BOARD AND PARENT-TEACHER GROUPS:

The function of parish Parent-Teacher Groups is to provide opportunities for parents to meet together and to become involved in the educational programs of the parish. Parent-Teacher Groups are parish/school auxiliary organizations that build unity among parents, foster relationships between faculties and parents, and support the educational programs financially and in other ways. These organizations under the civil and canonical auspices of the parish serve at the pleasure of the pastor and the corporate authorities of the Archdiocese of San Francisco. It is not the purpose of the Parent-Teacher Groups to recommend policy decisions about the educational program. That is the duty of the parish school board/parish education board. The Board and the PTG perform different but complementary roles. Because the two organizations are and should be distinct, it is not recommended that the PTG be considered as the parish school board/parish education board. It is important, however, that there be communication between the board and the Parent-Teacher Groups.

13.0 ORIENTATION/IN-SERVICE TRAINING:

It is strongly recommended that all members of parish boards of education be assisted to understand their roles through annual orientation/in-service workshops. These workshops would focus on such topics as:

- a. The Type of Board (cf. 2.0 of Policies)
- b. The Jurisdiction of the Board and its relationship to the Pastor and Administrators (cf. 3.0, 8.0 and 9.0 of Policies).
- c. The structure and conduct of meetings (cf. 7.0 of Policies).
- d. The structure and direction of the parish educational apostolate.

Courtesy of and in appreciation to Mary-Angela Harper, Ascent to Excellence in Catholic Education (Waterford, Connecticut: CROFT-NEI Division of Prentice-Hall, Inc. 1980) p. 256, Appendix M, "A Code of Ethics for Board members" (Diocese of Mobile).

MODEL "STATUTES" or "PROCEDURES"
FOR A PARISH SCHOOL CONSULTATIVE BOARD

Article I Title

The name of this body shall be _____ Parish School Consultative Board, hereinafter referred to as the Board.

Article II Purpose and Function

*Section 1 The purpose of the Board shall be to provide advice and assistance to the pastor in establishing goals and defining policies which shall govern the operation of _____ School, subject to such rules and regulations that precede from the Archbishop through canon law and the corporate structures of the Archdiocese and the Archdiocesan Superintendent of Schools and the Archdiocesan Board of Education. The Consultative Board can be discontinued at any time at the prudent wisdom of such authority.

*Section 2 The Board, functioning as an advisory body, shall be guided by the following responsibilities:

- A. to recommend policies to the School Administrator and the Pastor governing operation of the school;
- B. to create a better understanding of Catholic education in the community by fostering a relationship of the school to the entire community, both civic and cultural groups, and the public schools of the area;
- C. to analyze the school budget to determine if it realistically reflects the general financial and physical needs of the school;
- D. to discuss and evaluate reports presented to it by professional staff members;
- E. to recommend resources needed for development of educational programs;
- F. to monitor and evaluate programs which were established as a result of the pastor's policy decisions;
- G. to suggest criteria and provide counsel to the Pastor in the hiring, evaluation and dismissal of school administrators;
- H. to suggest criteria for the selection of school staff.

Article III Membership

Section 1 Members of the Board shall consist of the Pastor of _____ Parish and the School Administrator of _____ School as ex-officio members, and nine elected lay representatives of the parish. The school administrator shall be referred to hereafter as the "Administrator".

*Section 2 Each elected member shall serve a term of 3 years. One third shall be elected each year. All shall serve at the pleasure of the pastor.

Section 3 No lay member shall serve more than two consecutive terms or a total of six years.

*Section 4 No board member shall have a legal right or authority to represent the Board on behalf of the school.

Section 5 Ex-officio members are non-voting members.

Section 6 Vacancies -

If a vacancy occurs in mid-term, the Board will appoint the candidate who received the next highest number of votes in the previous election to fulfill the unexpired term.

Section 7 Attendance -

A member absent without cause for 3 meetings in the course of a year shall cease to be a member and be so notified.

Section 8 Nominations -

A. All adult members of the parish in good standing shall be eligible as nominees.

B. The nominating committee shall be composed of two members of the Parish Council, two Board members, the Pastor, and the Administrator.

Section 9 Elections -

A. An election committee appointed by the Board chair will conduct the elections, tally the votes, and be responsible for resolving any difficulties in procedure.

B. The slate of candidates for election and accompanying profiles shall be published with the two Sunday bulletins preceding the May Board meeting.

- C. Election of candidates shall precede the June Board meeting. The newly elected members shall take office in the September following election.

Article IV Officers

Section 1 The officers of the Board shall consist of the chairperson, the vice-chairperson and recorder.

Section 2 All officers shall be elected annually by the Board membership in secret ballot at the last regular meeting of the school year. All shall serve at the pleasure of the pastor.

Section 3 No member shall serve as chair for more than one year.

Section 4 Duties

A. The chair shall preside at all regular and special meetings of the Board. He/she shall plan the agenda in consultation with the Administrator, appoint all Board committees, ensure that all committees are functioning effectively, ascertain that Board policies are implemented and make an annual report to the parish.

B. The vice-chair, in the absence of the chair, shall perform all duties of the chair.

C. The recorder shall conduct, receive and dispose of all correspondence as directed. He/she shall prepare and issue all recommendations of the Board. The recorder shall serve as the custodian of the Board's records and documents. (A non-member of the Board shall be appointed to record the minutes.)

Article V Meetings

Section 1 All Board meetings shall be open to the members of the parish, unless the chair calls an executive session to discuss personnel matters or unless the pastor shall otherwise determine that special circumstances warrant a closed meeting.

Section 2 The Board shall meet at the same time and the same day of the month during the school year.

Section 3 A quorum consisting of a majority of the members shall be necessary for the transaction of official business.

Section 4 A special meeting may be called by the Pastor or the chair, or upon request, by four or more members of the Board, by personal notice to each member at least 24 hours in advance of the meeting.

Section 5 A simple majority of Board members present and voting shall carry a motion.

Section 6 The right of non-members to address the Board shall be limited to those whose petition has been approved for the agenda in advance of the meeting, or at the discretion of the chair.

Article VI Committees

Section 1 The chair shall appoint all committees.

Section 2 Each committee shall have such powers and shall perform such duties as may be assigned to it by the Board, insofar as they are consistent with the advisory role of the Board.

Section 3 A Board committee may include people who are not Board members.

Section 4 The standing committees of this Board shall be the Nominating Committee and the Finance Committee.

Article VII Parliamentary Authority

Robert's Rules of Order, newly revised, shall govern all meetings of the Board unless the pastor should determine that special circumstances warrant otherwise.

Article VIII Amendments

These statutes/procedures may be amended or repealed in whole or in part by a vote of at least two-thirds of the total voting membership of the Board, if also approved in writing by the Pastor, Archdiocesan Legal Counsel and Archdiocesan Superintendent of Schools. The amendment must have been presented in writing at the previous regular meeting of the Board.

ETHICS CODE

Being a member of a local school board involves new kinds of responsibilities and relationships. The information that is shared demands a professional ethic that should be understood by all. Board members must be clear on how they will handle confidences, what posture they will take when dealing with complaints and how they will relate to their many publics. Policy and procedure with regard to a code of ethics should be adequately discussed with new board members and periodically reviewed by all concerned.

Such a code would include the following:

1. A school board member must give the necessary time, thought and study to the work of the school board, so that she/he may render effective service.
2. A school board member must base his/her personal decision upon all available facts in each situation, voting with honest conviction unswayed by partisan biases.
3. A school board member must be able to abide by and uphold the final majority recommendation of the board regarding how he/she voted.
4. A school board member must work with his/her fellow board members in a spirit of harmony and cooperation in spite of differences of opinion.
5. A school board member must realize that as an individual he/she has no legal authority, therefore he/she must conduct his/her relationships with school staff, the local citizenry and all media of communication on the basis of this reality.
6. A school board member must keep all confidences shared with her/him during closed meetings of the board.
7. A school board member must realize that the welfare of the school children comes first in all decisions.
8. A school board member must never use his position on the board to benefit either himself/herself or any other individual or agency apart from the total interest of the school.
9. A school board member must keep in mind that while the primary function of the board is to assist and advise the pastor in establishing the policies that will give direction to the school, the administration of these policies is the function of the principal and his/her staff.
10. A school board member, if he/she is approached with a problem that is of an administrative nature, must refer the person to the proper administrative officer - the principal - and must never attempt to perform functions that are out of his/her field.

Appendix 7 Parent – Teacher Group Statutes (PTG)

MODEL “STATUTES” or “PROCEDURES” FOR PARENT-TEACHER GROUP

Article I Name

The name of this body shall be _____ Parent-Teacher Group, hereinafter referred to as the **PTG**

Article II Purpose and Function

The purposes of the PTG are: a) to promote Catholic education at _____ School; b) to generate financial support for the School; c) to provide a forum of exchange for parents, faculty, and administration of the School.

Article III Authority

Section 1. As distinguished from a school board/education committee, this organization does not have an official role in recommending of policy.

*Section 2. The activities of this parish auxiliary group are subject to such rules and regulations that precede from the Archbishop through Canon Law and the corporate structure of the Archdiocese of San Francisco and the Archdiocesan Superintendent of Schools and the Archdiocesan Board of Education. The PTG can be discontinued at any time in the prudent wisdom of such authority. No member of the PTG shall have the authority to make legal commitments or otherwise exercise legal authority on behalf of the parish school PTG.

Article IV Membership

Section 1. All parents, guardians, and teachers of students attending _____ School shall be members of the PTG (the “**Members**”).

Section 2. The Principal of _____ School (the “**Principal**”), and the Pastor of _____ Parish (the “**Pastor**”) shall be non-voting members of the PTG.

Article V Meetings

Section 1. General Membership Meetings of the PTG shall be held four times during the school year. Dates will be set by the Executive Board and announced

in the school calendar. The function of the General Meeting is for short reports from the Executive Board and speakers for the PTG. The Annual Membership Meeting will be held in May.

- Section 2. Special Meetings may be called by the Chairperson or the Principal.
- Section 3. A Quorum for the purpose of conducting any Membership Meetings shall consist of no less than 15 members with the Principal and/or Pastor in attendance. Proxy votes will not be considered as constituting one of the 15 members required to constitute a quorum.
- Section 4. Members unable to attend a Membership Meeting may elect to vote by proxy on the following business items: a) the annual election of the Officers, as hereinafter defined; and b) the adoption of any new statutes or any proposed amendment to, or repeal of these Statutes. In the event of a proxy vote, voting will be by ballot, with one ballot allocated to each family.
- Section 5. Approval or ratification of the membership shall mean a vote by fifty-one percent (51%) of the sum of the Quorum plus proxy votes, if any.
- Section 6. The last printing of Robert's Rule of Order shall be the authority for all matters of procedure not specifically covered by the Statutes.

Article VI Officers and Duties

- *Section 1. The Principal of _____ School shall be ex-officio moderator of the PTG. The Principal's approval, with the consent of the Executive Board is required for all expenditures of the organization's funds and for all speakers who are invited to address the organization at any time.
- *Section 2. The elected Officers of the PTG shall be a Chairperson, Vice Chairperson, a second Vice Chairperson, a Treasurer, a Recording Secretary, and Corresponding Secretary, and Parliamentarian. All shall serve at the pleasure of the Pastor. The term of office shall be for one year and no person shall be eligible to hold the same office for more than two consecutive years. An officer with more than two unexcused absences from any meetings may be replaced.
- Section 3. **Chairperson.** The Chairperson shall preside over all Board Meetings and Membership Meetings. The Chairperson shall be an ex-officio member of all committees of the PTG except the Nominating committee, and shall share the power, along with the Principal, to call special meetings of the Board, the Membership, or any committee. The Chairperson shall appoint, in association with the Principal and with the approval of the Board, the

chairpersons of the Membership standing committees and any ad hoc committees, as needed. The Chairperson, in association with the Principal and the Pastor shall exercise general supervision of the work and affairs of the PTG and shall perform all usual and necessary duties of the office. The Chairperson shall act as liaison with all other organizations and will serve as Parliamentarian at the end of his/her term as Chairperson.

Vice Chairperson. In the absence of the Chairperson, the Vice Chairperson shall exercise the powers of the chairperson and shall discharge the duties of that office. He/she oversees the volunteer community of the PTG.

Second Vice Chairperson. In the absence of the Chairperson and the Vice Chairperson, the Second Vice Chairperson shall service as the Chairperson, shall exercise the powers of the Chairperson and shall discharge the duties of that office. He/she shall work with the Principal and the Pastor to establish annual goals.

Treasurer. The Treasurer, in association with the Principal and Pastor, shall be the custodian of the funds of the PTG, receive all monies due the PTG and transmit all payments for the PTG bills. The Treasurer shall keep full and accurate accounts in accordance with Archdiocesan accounting procedures and shall make financial reports to the Board and the Membership at all regularly scheduled meetings.

Recording Secretary. The Recording Secretary shall be responsible for the take of the minutes and the keeping of the records of the Board and of the Membership. The Recording Secretary shall also send out notices of all Board Meetings and Membership Meetings.

Corresponding Secretary. The Corresponding Secretary shall handle all PTG correspondence.

Parliamentarian. The office of Parliamentarian shall be held by the outgoing Chairperson of the PTG. The duties include 1) act as the Chairperson of the Nominating Committee, 2) maintain Robert's Rules of Order at all meetings, 3) provide a transition from one year to the next.

Article VII Elections

Section 1. The Parliamentarian, in association with the Principal and with the approval of the Board, shall be the Chairperson on the Nominating Committee. In addition to the Parliamentarian, the Nominating Committee shall consist of 1) five members of the PTG who are not currently Officers, and 2) the Advisor (a faculty designate of the Principal), who shall be an ex-officio nonvoting member. The

Parliamentarian shall strive to provide representation on the Nominating Committee of the school population and will submit its report to the Principal and Pastor for approval.

- Section 2. The election of the Officers shall take place by ballot (one per family). All officers, except the Treasurer, shall assume their duties immediately after the annual Membership Meeting and a formal installation. The term of the Treasurer shall be from July 1st to June 30th.
- Section 3. In the event of a vacancy in the office of the Chairperson, the vacancy shall be filled by the Vice Chairperson. In the event of a vacancy in any other elected office, appointment will be made by the Executive Board Principal.

Article VIII Executive Board

- Section 1. The Administrative body of the organization shall be known as the Executive Board. The Board shall consist of the Pastor (or his delegate), Principal, Chairperson, Vice Chairperson, the Second Vice Chairperson, Treasurer, Recording Secretary, Corresponding Secretary, and the Parliamentarian.
- Section 2. A quorum of the Executive Board shall be a majority of the members thereof.
- Section 3. Meetings of the Executive Board shall be held at the call of the Chairperson and Principal. The function of the Executive Board is to plan and carry out business in a more detailed way than the general meetings. These would be open meetings.
- *Section 4. The Executive Board shall have the right to fill any vacancies among the officers of the organization, subject to the approval of the Pastor and Principal.

Article IX Committees

- *Section 1. The Executive Board shall have the right to create or abolish a committee, and appoint the temporary committee head(s) of said committees with the approval of the Pastor and Principal.
- Section 2. The Chairperson shall have the right to create special ad hoc committees and to appoint their committee head(s).
- Section 3. The Chairperson, the Principal and the Pastor shall be ex-officio members of all committees.

Article X Management and Use of Funds

- Section 1. Voluntary dues shall be set by the Executive Board for Members to be paid by December 31st of that school year.
- Section 2. The funds of the organization shall be employed for the school and for the operational expenses of the organization. Solicitation of money from members for purposes not pertaining to the approved work of the PTG is prohibited.
- *Section 3. The Principal's approval, with the consent of the Executive Board, is required for all expenditures. All income and expenditures shall be reflected in the Treasurer's report.
- *Section 4. All checks must have two signatures. The Chairperson, Treasurer, Pastor, and the Principal must be signatories on any bank accounts maintained for the organization's funds.
- *Section 5. There shall be an annual financial audit and public reporting to the membership concerning the expenditures of all organization funds.
- Section 6. The fiscal year shall be from July 1 through June 30.

Article XI Statutes and Policies

- *Section 1. New statutes may be adopted or these statutes may be repealed or amended by a majority of those present at any Membership Meeting, if also approved in writing by the Principal, Pastor, the Archdiocesan Legal Counsel, and the Archdiocesan Superintendent of Schools, by ballot (one per family). Members may vote by proxy. Proposed amendments must be present in writing to the membership no less than fourteen (14) days prior to a general Membership Meeting at which they are to be discussed and voted upon.
- Section 2. The Executive Board, in association with the Principal, may from time to time adopt policies and procedures not in conflict with these Statutes for conducting the affairs of the PTG. Policies and procedures may be adopted, amended or revoked by a majority vote of the Executive Board. A copy of the policies and procedures of the PTG shall be attached to the Statutes.

Article XII Agenda

- Section 1. The agenda of the meeting shall be prepared by the Chairperson and Principal and published for the Membership.

Section 2. All items to be placed on the agenda as New Business shall be forwarded to the Chairperson ten (10) days in advance of the regularly scheduled meeting. Topics will not be addressed if brought up spontaneously at meetings. Membership is allotted five (5) minutes to address items approved for the agenda.

Section 3. The agenda of the meeting should include the following:

1. Call to Order
2. Prayer
3. Reading of the Minutes and Roll Call of officers
4. Reading of correspondence
5. Report of Treasurer
6. Report of 1st and 2nd Vice Chairpersons
7. Report of the Standing Committees
8. Report of Special Committees
9. Unfinished Business
10. New Business
11. Adjournment
12. Program (this may be moved up)
13. Parish/School Report

* No deviation from the provisions marked with an asterisk is authorized without the prior review and approval of the Archdiocesan Legal Office and the Superintendent of Catholic Schools.

Appendix 8 Parent – Student Handbook

- Mission Statement
- Academic policies
 - Expectations
 - Homework Policy (See 6227)
 - Grading (See 5131)
 - Absence and Tardiness (See 5121, 5122, 5124)
 - Promotion and Retention (See 5134)
- Administration and Staff Lists
- Admission policies
 - Non-Discriminatory Policy (Appendix 1)
 - Preference for Catholic Students (See 5111.6)
 - Students with Learning Differences (See 5132.2)
 - Financial Fees – Full disclosure: cost of education per pupil vs. revenue
- Calendar and Notice of Holidays, Early Dismissal and Minimum Days, (See 6211, ARG: Calendar and Schedules Guidelines)
- Communication Procedures
- Counseling Services and Counseling Policy (See ARG, School Counseling Release Form)
- Course Offerings and Graduation Requirements and Qualifications, (See 6137(S))
- Crisis Plans (See 5154.3 & Model Emergency Plan for Schools)
- Extended Care
- Extra Curricular Activities
- Fieldtrip Policies/Forms (See 6226.8(S), Appendix 13)
- Parent Service Requirements
- Parental Access to Records, (See 5115.3, Appendix 2)
- School Discipline Policy (See 5172)
 - Student Harassment Policy (See Appendix 4, pages 9 -11)
 - Code of Christian Conduct (See Appendix 12)
- Technology
 - Acceptable Use Internet Electronic Information Sources (See ARG)
 - Picture Release Form (See ARG)
- Uniform/Dress Code
- Universal Medical Information/Emergency Contact – Release and Consent Forms (See ARG)

Administrators should included a clause stating that the principal retains the right to amend the Handbook for just cause and that parents will be given prompt notification if changes are made.

Parents should be required to sign a statement such as, “We have read and agree to be governed by this Handbook.”

Appendix 9 Faculty Handbook

- Mission Statement, Philosophy and Goals of the School
- Academics
- Accidents
- Administration of the School (roles defined)
- Admission of Students
- Announcements
- Assignments
- Attendance
- Calendar and Notice of Holidays, Early Dismissal and Minimum Days
- Child Abuse & Harassment Policy (Reporting Procedures, See Appendix 4)
- Classroom Teacher Expectations
- Close of School Year Procedures
- Code of Christian Conduct (see Appendix 12)
- Confidentiality
- Counseling Policy (See Counseling and Release Form)
- Crisis Plan
- Discipline
- Dress Code
- Extra Curricular Activities
- Faculty Meetings
- Fieldtrip Policies/Forms (See 6226.8(S), Appendix 13)
- Fire Drills and Emergency Procedures
- Grievance Procedures
- Illness/Leaves of Absence/ Family Medical Leave
- Non-Instructional Duties
- Non-Discriminatory Policy as to Students
- Phone/Parent Conferences
- Parental Access to Records (See Appendix 2)
- School Employee Handbook
- Student Illness
- Supervision and Evaluation of Teachers
- Termination of Teachers/Non Renewal of Employment Agreement
- Technology
 - Acceptable Use of Internet and Electronic Information Sources
 - Picture Release Form
- Uniform/Dress Code
- Universal Medical Information/Emergency Contact – Release and Consent Forms

Teachers should be asked to sign a statement that they have reviewed, read and agree to be governed by the provisions of the Faculty Handbook.

Appendix 10 Guidance Regarding School-Parent Tuition Agreements

(1) General: Catholic schools fall under the provisions of contract law. Simply stated, contract law says: “Write down your expectations. Be clear. Be specific, as necessary. Allow yourself latitude for discretionary judgment, but don’t be found to be capricious and/or arbitrary.” In other words, be consistent with what you say you’re doing and/or plan to do. Contract law is about reciprocal obligations and expectations. It’s about shared expectations. The rule of reasonableness applies: Is this a reasonable expectation? Would a reasonable person sign this? Tuition Agreements, or school catalogues or Parent Handbooks incorporated by reference into the Agreement, should contain:

School name, address, city, state, zip and phone number (typically satisfied by printing Agreement on school letterhead).

- General provision that says the parent(s)/guardian(s) understand and agree to the terms set forth in the Agreement and the school catalogue, Parent-Student Handbook or other official school publication.
- A place for the student’s name(s) and grade(s).

(2) The schedule of tuition rates should explain:

- Criteria and rate for “in parish”, “out-of-parish”, “participating” and any other categories established by the school.
- Registration fee (and what the fee covers), and any other fees
- Dates:
 - When signed Agreement is due
 - When Registration Fee is due
 - When tuition payments are due
- Penalties for:
 - Late payments
 - Returned checks
 - Non-payment by the due date(s)
- Other expectations:
 - “Service” hours
 - Fund-raising efforts
 - Scrip program, etc.

(3) Other Expectations

(a) Tuition rate dependent on family contribution to Sunday collections.

If a family's tuition rate is a function of the family's contribution of a designated amount in Sunday collections, that contribution is no longer a voluntary contribution, deductible as a charitable donation for tax purposes. A service is being received for that (former) contribution. Once a value is assigned to a voluntary act, it ceases to be voluntary and becomes expected.

If a parish offers reduced tuition to parishioners, and if the parish defines a parishioner as one who contributes to the support of the life of the parish through use of Sunday envelopes, then **either**:

- the amount of contribution in the Sunday envelope may not be specified, **or**
- parishioners must be advised that Sunday envelope contributions are not tax deductible.

(b) Penalties

Charges for late payments and returned checks must be reasonably related to the administrative costs involved in any loss because the scheduled payment is late (e.g., a \$50 late-charge on a \$200 payment would be excessive and not related to costs incurred).

(c) Exclusion from school.

Schools may refuse to re-admit a student at the start of a semester if a family fails to pay tuition and fees. Schools may not withhold transcripts or report cards. In the portion of the tuition agreement that deals with consequences for failure to pay, it is extremely important that these consequences are uniformly applied. While special circumstances need to be taken into account, it is important to apply consequences consistently.

(d) Service hours.

It is recommended that failure to perform agreed upon service hours result in a family being charged the higher "non-participant" or "non-parishioner" tuition rate in the following semester, rather than the family being charged a fee for hours not performed.

This caution is especially true of Bingo, which falls under state gaming codes. There can be no benefit accrued directly by those working Bingo. Under state law, bingo is illegal if any member of the sponsoring group receives consideration for participation in the operation of the game.

(e) Scrip

Schools may require families to participate in a Scrip program. It is strongly recommended that families be offered more than one commercial business at which Scrip can be redeemed so as to avoid the impression that the school is endorsing a single company. While the school may assess a financial penalty for failure to satisfy Scrip participation requirements, any such charge must be reasonable.

No portion of Scrip purchases are tax deductible. The purchaser of Scrip redeems it for goods or services equal to the face value of the Scrip. Special care should be taken to avoid referring to such payments as tax-deductible “gifts”, “contributions”, “donations”, etc. It is recommended that Scrip receipts or other conspicuous signs or literature include a statement such as:

We appreciate your participation in the Scrip program. Please note, however, that no portion of your payment is tax deductible pursuant to applicable tax laws.

SCHOOL LETTERHEAD

Sample clauses for local tuition policies, procedures, and/or Tuition Agreements.

1. I (We), _____ have read, understand and agree to the 20____ - 20____ tuition and fee schedule, criteria for tuition rates and related expectations for parental support at _____ School.

I (We) have _____ children enrolled in grade(s):

Name _____ Grade _____

Name _____ Grade _____

Name _____ Grade _____

Name _____ Grade _____

I (We) agree to pay \$ _____ tuition in (check one) one; four; ten installments by the specified due date(s), and I (we) agree to pay fees designated by the school by the specified due date(s).

2. I (We) understand that the School tuition policy requires the following:

- a. Tuition is due the first of the month and is delinquent after the tenth. Delinquent tuition has a \$ _____ per day late charge. Late payment of any installment gives school the right to declare the entire unpaid balance immediately due and payable.
- b. Failure to make any scheduled payment when due may result in not being able to use the deferred payment plan in subsequent semesters.
- c. At the end of the quarter, the Principal will consider dropping from the enrollment list the names of families who:
 - 1) have made no payment toward a delinquent account; and/or
 - 2) have made no effort to discuss the problem with the Principal/Pastor/Finance Committee.
- d. Families with delinquent accounts will not be allowed to re-register for the following school year.

- e. Payment made by check or electronic transfer which is returned for insufficient funds will be charged a \$_____ fee. After two returned checks, families must pay tuition by money order or cash for the remainder of the school year.
 - f. Parents will be held responsible for reasonable attorney fees and collection costs necessary for collection of any amount not paid when due.
3. I (We) expressly authorize School to release my (our) tuition account along with other necessary records (e.g., transcript) which is requested by any public and/or private school, local credit bureau, collection agency, or any school official, employee or agent who has a legitimate educational or legal interest in the information.

4. School last attended:

Name _____

Address _____

5. Is tuition owed to any school your children have attended? YES . NO

Explanation _____

6. All policies, terms and conditions, as set forth in the Parent-Student Handbook (including, but not limited to, such items as school service hours, scrip program, etc.), to the extent they are in accord with Archdiocesan policy and procedures, are incorporated by reference and made a part of this Agreement.

Parent/Guardian

Principal

Signature

Signature

Address

Date

City, State, Zip

Appendix 11 Code of Ethics for Catholic School Teachers

CODE OF ETHICS

FOR THE CATHOLIC SCHOOL TEACHER

PREAMBLE

"GO, TEACH!" Christ charged His first disciples. Since the beginning of Christianity, education has been one of the most important missions of the Church. Its success depends upon the professional competence, quality, and above all, the commitment of the teacher to Christ.

This Code of Ethics for the Catholic School Teacher is a concise description of the person who is growing in faith, hope and love of Christ. It specifies the attitude and the practice of the Catholic school teacher in relation to the student, the parent, the community, and to the profession. This code offers a guide by which to live, a goal toward which to strive and a promise of lasting success.

*Preamble by Reverend John F. Meyers
Former President, National Catholic Education Association*

PRINCIPLE I: COMMITMENT TO THE STUDENT

As Catholic school educators we believe that students, like ourselves, are pilgrim people, making their journey through this life with a constant focus on the next. As Christian Catholic educators, we have a special responsibility to encourage each student to achieve his/her maximum potential. We work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding and the thoughtful formulation of worthy goals. In fulfilling our obligation to the student, we are called to:

1. Help students see the relevance of a Christian value system in their daily lives.
2. Help students learn to relate human culture and acknowledge to the news of salvation.
3. Show Christian concern about the joys and problems of each student.
4. Speak with charity and justice about students even when called upon to discuss sensitive matters.
5. Work with students in preparing liturgies, paraliturgies and other religious programs.
6. Respect confidential information concerning students and their homes.
7. Plan appropriate service projects for students that will develop their sense of responsibility to the community.
8. Enable students to grow in a sense of self-worth and accountability by selecting activities that promote the positive self-concept as becomes a maturing Christian.
9. Develop the students' knowledge and understanding of the subject(s) for which we are responsible, without suppression or distortion.
10. Refuse remuneration for tutoring students assigned to our classes and reject any other use of our students for personal financial gain.

PRINCIPLE II: COMMITMENT TO PARENTS

As Catholic school educators we believe children are influenced by home, community, and society in which attitudes toward Christian values are often challenged. Parents, the source from whom children and youth derive their values, entrust their children to the Catholic school to instruct, complement and intensify the education and formation begun in the home. We are called to assist these parents in fulfilling their obligation for the Christian formation and education of their child; therefore, we will:

1. Respect parents' fundamental human right to know, to understand, and to share in decisions that affect the education of their child by:
 - Assuring parents of a commitment to ongoing education as a professional educator and informing them, upon request of educational qualifications.
 - Keeping parents apprised of the curriculum and method of instruction.
 - Providing opportunities for parents to help shape classroom and school policies and keeping them well informed regarding all current policies.
2. Develop educational programs and activities to enhance family life as well as the home-school relationship.
3. Respect any confidential information which parents share.
4. Report to parents their child's progress regularly and as needed, in a spirit of charity, with professional accuracy and honesty.

PRINCIPLE III: COMMITMENT TO THE COMMUNITY

As Catholic school educators, we believe the school community is both an agent of appropriate change and a preserver of basic tradition. We consider the school community an integral part of the parish whose people it serves, and a vital force for preparing future civic and Church leaders. In fulfilling our obligation to our apostolic profession, we are called to:

1. Promote the peace of Christ in the world by:
 - Modeling peaceful solutions to community conflicts.
 - Encouraging a spirit of cooperation and avoiding the extremes in competition.
 - Developing skills that will enable students to interact with society for a better world.

2. Cooperate wholeheartedly in the continued building of parish life and spirit by:
 - Emphasizing the integral nature of the Catholic school within the parish and community.
 - Assisting communication concerning parish resources, needs and events.
 - Modeling active participation in one's own parish.

3. Develop student potential for constructive Christian leadership within the American democracy by:
 - Ensuring an adequate understanding of history and its lessons.
 - Providing opportunities for taking responsible moral positions on current issues.
 - Offering instruction and practice in leadership skills.

4. Contribute to the well-being of the area in which the school is located by:
 - Reflecting the philosophy of the school in one's attitudes and actions.
 - Manifesting respect and appreciation for the work of educators in other schools and systems.
 - Encouraging in students a respect for the person and property of their neighbors.
 - Avoiding inappropriate school activities that disturb the peace and order of the community.

PRINCIPLE IV: COMMITMENT TO THE PROFESSION

As Catholic school educators we believe that professional excellence in Catholic schools directly influences our Church, country and world. We strive to create a Christian environment which promotes sound moral and professional judgment. Through our spirit of joy and enthusiasm, we encourage others to join us in our apostolate teaching in a Catholic school.

In fulfilling our responsibilities as professional educators we are called to:

1. Maintain professional standards by:
 - Preserving the reputations of colleagues, administrators and students.
 - Safeguarding the exchange of confidential information.
 - Refusing to use the classroom to further personal ends through the sale of any goods, products or publications.
 - Refraining from using the school as a platform of one's own beliefs that are not in accord with the school philosophy or Church teaching.
 - Overseeing the duties of non-professionals, making sure they assume only those responsibilities appropriate to their role.
 - Assisting in the orientation of educators new to a position and/or school.
 - Considering the obligations of the teaching contract as binding in a most serious manner, conscientiously fulfilling the contract.
 - Terminating unexpired contracts only because of serious reasons, with the consent of both parties, and after sufficient notice.
 - Upholding the authority of the school when communicating with parents, students, and civic community.
 - Presenting honest, accurate professional qualifications of self and colleagues when required for professional reasons.

2. Seek and encourage persons who live a life consistent with Gospel values and Catholic Church teachings to pursue the apostolate of teaching by:
 - Modeling the faith life and witnessing to the Faith Community on the parish, diocesan, national and world levels.
 - Exemplifying the teachings of Jesus Christ by dealing with children and adults in true love and justice.
 - Exhibiting knowledge of the Church documents, especially "To Teach as Jesus Did," "Sharing the Light of Faith," and "The Catholic School."*

* Code of Ethics developed by the Department of Elementary Schools, National Catholic Educational Association, through the special efforts of Chairperson Ms. Ann Pizelo; Sr. Mary Thea O'Meara, B.V.M.; Mrs. Mary Piotrowski; and Sr. Mary Peter Traviss, O.P.

Appendix 12 Code of Christian Conduct Covering Students and Parents/Guardians

The student's interest in receiving a quality, morally based education can be served if students, parents and school officials work together. Normally, differences between these individuals can be resolved. In some rare instances, however, the school may find it necessary, in its discretion, to require parents/guardians to withdraw their child.

It shall be an express condition of enrollment that the student behave in a manner, both on and off campus, that is consistent with the Christian principles of the school as determined by the school in its discretion. These principles include, but are not limited to, any policies, principles or procedures set forth in any student/parent handbook of the school.

It shall be an express condition of enrollment that the parents/guardians of a student shall also conform themselves to standards of conduct that are consistent with the Christian principles of the school, as determined by the school in its discretion. These principles include, but are not limited to, any policies, principles or procedures set forth in any student/parent handbook of the school.

These Christian principles further include, but are not limited to, the following:

1. Parents/guardians are expected to work courteously and cooperatively with the school to assist the student in meeting the academic, moral and behavioral expectations of the school.
2. Students and parents/guardians may respectfully express their concerns about the school operation and its personnel. However, they may not do so in a manner that is discourteous, scandalous, rumor driven, disruptive, threatening, hostile, or divisive.
3. These expectations for students and parents/guardians include, but are not limited to, all school-sponsored programs and events (e.g., extended care, athletics, field trips, etc.).

The school reserves the right to determine, in its discretion, which actions fall short of meeting the Christian principles of the school. Failure to follow these principles will normally result in a verbal or written warning to the student and/or parent/guardian and normally will first result in disciplinary action short of a requirement to withdraw from the school (e.g. suspension of student or suspension of parent/guardian privilege to come on the campus grounds and/or participate in parish/school activities, volunteer work, etc.).

The school reserves the right to determine, in its discretion, when conduct is of such a severe nature as to warrant immediate action without a warning and/or without an intermediate step short of withdrawal.

Appendix 13 Non-Field Trip Transportation Policy (S)

Extra-Curricular, Non-Field Trip Transportation (e.g. sports, academic contests, etc.)

[Name of high school] may provide team members, band members etc., with supervised transportation, pre-authorized by the Athletic Director, Principal or Assistant Principal, to and from practices, games, events, etc. (“activities”). This will normally be by way of a supervised team bus or van(s)/cars driven by coaches, assistant coaches, other paid staff members or authorized volunteer adults.

Should unforeseen circumstances arise whereby the authorized method of transportation becomes unavailable (or is not being provided for the particular activity) students wishing to participate in the activity shall be responsible for arranging their own, independent transportation (by a driver age 18 or older as evidenced by a current driver’s license) to and from the activity to the same extent that they are responsible for arranging their transportation to and from school. Students whose parent(s) or guardian(s) have not signed [Name of high school]’s alternate, independent transportation permission form (applicable for all school activities for the entire academic year) shall not be authorized to attend the activity.

[Name of high school] will make reasonable attempts, for coaches, etc. to keep on had a list of those students who have or have not been given permission by their parent(s) or guardian(s) to attend activities via independent, alternative transportation. However, parent(s) and guardians(s) shall have primary responsibility for instructing the student whether he/she may attend an activity by way of an independent, alternative mode of transportation when authorized school transportation is not offered or available.

Sometimes, even though a supervised mode of transportation is pre-authorized, and provided by the school, students may wish to utilize independent, alternative transportation opportunities to and/or from the activity (e.g. return directly from the activity with a parent, teammate, friend, etc. due to the close proximity of the activity to the student’s home, etc.). The Athletic Director, Principal, or Assistant Principal may authorize coaches to allow such independent, alternative transportation (by a driver age 18 or older as evidenced by a current driver’s license) if the parent(s) or guardian(s) have signed [Name of high school]’s form granting permission for such mode of transportation in lieu of school’s supervised transportation. If the form is not signed and on file, the student will be returned to [Name of high school] on the supervised mode of transportation.

[Name of high school] will make reasonable attempts, for coaches, etc. to keep on had a list of those students who have or have not been given permission by their parent(s) or guardian(s) to attend and/or leave activities via independent, alternative transportation. However, parent(s) and guardian(s) shall have primary responsibility for instructing the student whether he/she may attend and leave activities via independent, alternative transportation.

August 1998

GRIEVANCE, APPEALS AND REVIEW

1. Purpose

The purpose of this procedure is to secure a just and equitable solution of a grievance which may arise out of or relate to an employee's employment relationship with the school, including issues or claims concerning the interpretation, termination or nonrenewal of an employment contract or an interpretation or application of an Archdiocese and/or local policy regarding conditions of employment.

All parties shall resolve disputes within the normal administrative process of each school and in accordance with the procedures set forth herein. The parties are urged to proceed in an atmosphere of mutual understanding and Christian faith.

Any party participating in this grievance procedure may, at his or her own expense, seek the advice of an individual of his or her choice.

2. Definitions

- a. Employee: Any teacher or principal, lay or religious, employed by an elementary school within the Archdiocese of San Francisco.
- b. Grievance: A grievance is a claim alleging action in violation of a policy or procedure contained in the Archdiocesan Handbook, a local school handbook, the terms of the employment agreement or provisions of a federal, state and/or local law(s).
- c. Respondent: The individual against whom the employee initiates the grievance, appeals or review procedure.
- d. Day: Working day, excluding holidays and weekends.

3. Procedure

a. Level One

Within twenty (20) days from the time the employee has knowledge that a conflict exists, the employee shall attempt to adjust the disagreement confidentially and orally with the respondent.

Within ten (10) days after the oral presentation of the grievance, the respondent shall respond orally to the employee.

b. Level Two

If the employee is a Principal, proceed to Level Three.

If the grievance is not adjusted to the employee's satisfaction through an informal discussion, the grievance should be presented in writing to the employee's immediate supervisor (Principal) within ten (10) days from the oral response or within ten (10) days from when the oral response was to be provided. This written grievance shall describe:

- (1) The facts giving rise to the grievance at Level One;
- (2) The specific policy, procedure, agreement or law alleged to be violated; and
- (3) The adjustment desired.

The immediate supervisor (Principal) will have ten (10) days after receipt of the written grievance to provide the employee with a written response.

c. Level Three

If the grievance is not adjusted to the employee's satisfaction at the previous Level, the original grievance should be presented to the Pastor in writing within ten (10) days from receipt of the response or within ten (10) days from when the response was to be provided. The material presented to the Pastor shall include:

- (1) The facts giving rise to the grievance at Level One;
- (2) The specific policy, procedure, agreement or law alleged to be violated; and
- (3) The adjustment desired.

The Pastor will have ten (10) days after receipt of the written grievance to provide the employee a written response.

d. Level Four

If a mutually agreed upon resolution to the grievance is not achieved at Level Three, either party may submit a written appeal to the Superintendent's office within ten (10) days from receipt of the written response or within ten (10) days from the date the written response was to be provided.

The written appeal shall include the following:

- (1) The dates all appropriate Levels were satisfied;
- (2) The facts giving rise to the grievance at Level One;
- (3) The specific policy, procedure, agreement or law alleged to be violated;
- (4) Any relevant supporting documentation; and
- (5) The adjustment desired.

Within ten (10) days after the Superintendent is in receipt of the written appeal, he/she shall:

- (1) Personally initiate an Administrative Review; **OR**
- (2) Appoint a designee to conduct an Administrative Review; **OR**
- (3) Appoint three individuals (Grievance/Review Committee) to conduct an Administrative Review.

The purpose of the Administrative Review is to determine whether the action(s) of the respondent and/or employee is in accordance with Archdiocesan policies and procedures, and federal, state and local laws.

The Superintendent, his/her designee or the Grievance/Review Committee shall conduct the Administrative Review subject to the following:

- (1) Within ten (10) days from the date the parties receive notice from the Superintendent's office that Level Four has been initiated, the appellee shall:
 - (a) Submit to the Superintendent's office a written response to each issue raised in the written appeal received by the Superintendent; and
 - (b) Include in the response any supporting documentation concerning the written appeal received by the Superintendent.
- (2) Within no more than ten (10) days from the date an Administrative Review has been conducted, a written decision will be issued to both parties by the Superintendent. If the Superintendent's designee or the Grievance/Review Committee has conducted the Administrative Review, their decision shall be in the form of a recommendation to the Superintendent who will communicate with the employee and respondent.

e. Level Five

If the matter has not been resolved at Level Four, the matter shall be decided by an arbitrator selected by the alternate striking of names from a list of five (5) arbitrators provided by the California State Mediation and Conciliation Service. The decision of the Arbitrator will be final and binding. To obtain arbitration, the employee must submit a written request for arbitration to the Superintendent within one (1) year of the date when the dispute first arose, or within one (1) year of the termination of employment, whichever occurs first. The complete procedures for initiating and participating in arbitration are attached hereto in a document entitled "Arbitration Procedures."

Grievances which question, dispute or challenge the teachings and principles of the Roman Catholic Church may not be arbitrated.

I. Request For Arbitration

The Employee or his/her representative ("Employee") shall submit a Request for Arbitration in writing to the Superintendent. The Request for Arbitration shall include the following information:

- A. A description of the dispute in sufficient detail to advise the Employer of the nature of the dispute;
- B. The date when the dispute first arose;
- C. The names, work locations and telephone numbers of any coworkers or supervisors with knowledge of the dispute; and
- D. The relief requested by the Employee.

II. Arbitrator Selection

- A. All disputes will be resolved by a single arbitrator.
- B. The arbitrator(s) shall be selected from a list of five (5) arbitrators provided by the State Mediation and Conciliation Service from its state arbitration panel.
- C. The list provided by the State Mediation and Conciliation Service shall contain educational and professional biographies of each proposed arbitrator.
- D. The arbitrator shall be selected by the parties by alternately striking names from the list. The last name remaining on the list shall be the arbitrator selected to resolve the dispute.
- E. Arbitrator selection must be concluded within forty-five (45) days of receipt of the Request for Arbitration by the Employer.
- F. The Arbitrator shall only be authorized to exercise the powers specifically enumerated by the Agreement to Arbitrate and to decide the dispute in accordance with governing principles of law and equity. The Arbitrator shall not have any authority to modify the powers granted to him/her by the terms of the Agreement to Arbitrate, nor shall he/she have authority to arbitrate grievances that question, dispute or challenge the teachings and principles of the Roman Catholic Church. The Arbitrator also shall not have the authority to modify a party's responsibility for fees and costs as set forth in part X below, except as required by law.

III. The Arbitrator's Authority

The Arbitrator shall only have those powers authorized by statute or enumerated below:

- A. Rule on motions regarding the pleadings and discovery.
- B. Issue protective orders on the motion of any party or third party witness. Such protective orders may include, but are not limited to, sealing the record of the arbitration, in whole or in part (including discovery proceedings and motions, transcripts and the decision and award), to protect the privacy or other constitutional or statutory rights of parties and/or witnesses.
- C. Determine only the dispute submitted to him/her. The dispute shall be identified in the Request for Arbitration, any counterclaim(s), and the answer(s) thereto. Any dispute not identified in those pleadings is outside the scope of the Arbitrator's jurisdiction and any award invoking such disputes is subject to a motion to vacate; provided, however, that the Arbitrator shall have exclusive authority to resolve any dispute relating to the validity, interpretation and enforcement of these Arbitration Procedures.

IV. Pleadings

- A. A copy of the Request for Arbitration shall be forwarded to the Arbitrator within five (5) calendar days of his/her selection.
- B. Within ten (10) calendar days following submission of the Request for Arbitration to the Arbitrator, the Employer shall respond in writing to the Request for Arbitration by Answer. The Answer shall be served on the Arbitrator and the Employee.
- C. The Answer to the Request for Arbitration shall include the following information:
 - 1. A response, by admission or denial, to each claim set forth in the Request for Arbitration;
 - 2. All affirmative defenses asserted by the Employer to each claim; and
 - 3. All counterclaims the Employer asserts against the Employee and any related third party claims.
- D. If the Answer alleges a counterclaim, within twenty (20) calendar days of service of the Answer, the Employee shall answer the counterclaim in writing and serve the answer on the Arbitrator and the Employer.

- E. When all claims and counterclaims have been answered, the Arbitrator shall set a time and place for hearing which shall be no earlier than three (3) months from the day on which the parties are notified of the date of hearing and no later than twelve (12) months from the date on which the Arbitrator sets the date for the hearing.

V. Discovery

- A. The parties shall cooperate to the fullest extent practicable in the voluntary exchange of documents and information to expedite the arbitration.
- B. After the appointment of the Arbitrator, the parties shall have the right to take depositions and to obtain discovery regarding the subject matter of the arbitration, and, to that end, to use and exercise all of the same rights, remedies, and procedures, and be subject to all of the same duties, liabilities, and obligations in the arbitration with respect to the subject matter thereof, as provided in state Code of Civil Procedure, e.g., Chapter 2 (commencing with Section 1985) of, and Article 3 (commencing with Section 2016) of Chapter 3 of, Title 3 of Part 4 of the California Code of Civil Procedure.
- C. The Arbitrator shall have the power, in addition to the power of determining the merits of the arbitration, to enforce the rights, remedies, procedures, duties, liabilities, and obligations of discovery by the imposition of the same terms, conditions, consequences, liabilities, sanctions, and penalties as can be or may be imposed in like circumstances in a civil action by a superior court under the Code of Civil Procedure, except the power to order the arrest or imprisonment of a person.
- D. The Arbitrator may consider, determine, and make such orders imposing such terms, conditions, consequences, liabilities, sanctions, and penalties, whenever necessary or appropriate at any time or stage in the course of the arbitration, and such orders shall be as conclusive, final, and enforceable as an arbitration award on the merits.
- E. All discovery must be completed thirty (30) days prior to the date set for hearing of the matter.

VI. Hearing Procedure

- A. At the commencement of the arbitration, the parties shall state the issue(s) to be submitted to the Arbitrator. The issue(s) to be decided must be identifiable from the Request of Arbitration, any counterclaim(s) and the answer(s) thereto.
- B. The parties shall determine whether the arbitration is to be governed by formal rules of evidence. If so, the California Evidence Code will be the applicable standard.
- C. The Arbitrator and the parties shall mutually agree on the number of days required for the hearing. If more than one day is required, subsequent dates shall be determined by agreement of the parties and the Arbitrator.

- D. The hearing shall be recorded and transcribed verbatim by a certified shorthand reporter. The Employer shall be responsible for the court reporter's fee and the cost of the Arbitrator's copy of the transcript of the hearing. The Employee may at his/her option obtain a copy of the transcript of the hearing from the court reporter at his/her own expense. Other financial obligations of the parties are set forth in part IX below.
- E. The Arbitrator shall order witnesses to be sequestered at the request of any party. However, the following persons are exempt from any order of sequestration and may attend every stage of the proceedings regardless of their status as potential witnesses: the Employee; a representative of the Employer; counsel for any party.
- F. All testimony shall be under oath; oaths shall be administered by the Arbitrator or the court reporter.
- G. Depositions for testimony (other than for impeachment or rehabilitation) may be used in accordance with California Code of Civil Procedure section 1283.
- H. Burdens of Proof

The Employee shall have the burden of proving each element of his/her claims, as required by law; the Employer shall have the burden of proving any affirmative defense.
- I. Order of Testimony
 1. The Employee shall present his/her case in chief prior to any obligation on the Employer to present any evidence. However, the Employer may, at its election, cross-examine witnesses presented by the Employee during the Employee's presentation of its case in chief and immediately following direct examination of the witness.
 2. At the conclusion of the Employee's case in chief, the Employer may submit oral or written motions for judgment on the pleadings, nonsuit or directed verdict. The oral or written nature of such motions shall be in the sole discretion of the Employer.
 3. If the Employer's motions are denied, or if they are not dispositive of all of the Employee's claims, the Employer may present its case in chief. The order of testimony shall proceed as in I (1) above.
- J. The parties may call witnesses for rebuttal following the completion of each party's case in chief.
- K. The Arbitrator may question any witness for clarification, in his/her discretion.

VII. Post-Hearing Procedures

- A. Either party shall have the right to present closing arguments at the conclusion of all testimony.
- B. In addition to, or in lieu of closing argument, either party shall have the right to present post-hearing briefs. The due date and procedure for exchanging post-hearing briefs shall be determined by the Arbitrator after consultation with the parties.

VIII. Opinion And Award

- A. The Arbitrator shall issue a written opinion and award; the opinion and award must be signed and dated.
- B. The Arbitrator shall issue the opinion and award within ninety (90) days of closing arguments, or the receipt of post-hearing briefs, whichever is later.
- C. The Arbitrator's opinion and award shall be final and binding and shall decide all issues submitted.
- D. The Arbitrator's opinion and award shall set forth the legal principles supporting each part of the opinion.
- E. The Arbitrator shall only be permitted to award those remedies in law or equity which are requested by the parties and which he/she determines to be supported by the credible, relevant evidence.

IX. Fees And Costs

- A. Each party shall be responsible for its own attorneys' fees, except as provided by law.
- B. The Arbitrator's fee and any costs associated with the facilities for the arbitration shall be borne by the Employer.
- C. Each party shall be responsible for all costs associated with discovery which that party initiates, e.g., depositions, except that a party or third party witness being deposed shall be responsible for the cost of a copy of the transcript if he/she chooses to order a copy.

X. Severability

In the event that any provision of these Procedures is determined by the Arbitrator or by a court of competent jurisdiction to be illegal, invalid or unenforceable to any extent, such term or provision shall be enforced to the extent possible under the law and all remaining terms and provisions hereof shall continue in full force and effect.

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