

## SERIES 1000 PHILOSOPHY

MISSION OF CATHOLIC SCHOOLS	1100
MISSION STATEMENT .....	1110
PREFERENCE OF PRACTICING CATHOLICS .....	1111
MOTTO: FULFILLING THE MISSION OF JESUS .....	1120
PHILOSOPHY AND GOALS STATEMENT	1200
PHILOSOPHICAL PRINCIPLES .....	1210
RELATIONS WITH OTHERS .....	1220
LOCAL ADAPTION.....	1230

## 1000 PHILOSOPHY

<b>1100 MISSION OF CATHOLIC SCHOOLS</b>
---

### **1110 MISSION STATEMENT**

In the Diocese of Fresno, the primary mission of CATHOLIC SCHOOL EDUCATION is to be an effective instrument of the Catholic Church in its ministry of teaching the Gospel message and assisting children to grow into fullness of life in Jesus. This mission supports parents in their role as the primary educators of their children. This mission is accomplished at each school through the efforts of the school's pastor, parishioners, staff, parents, and students who form a faith community. This faith community is the vehicle for developing in students the responsibility for founding and promoting a society rooted in justice, love and peace.

### **1111 PREFERENCE FOR PRACTICING CATHOLICS**

To support the religious mission and purpose of Catholic schools and to build a strong Catholic culture on each campus, Catholic schools shall give preference in hiring, admission of students, and the awarding of tuition assistance to those individuals or families who are "active and practicing Roman Catholics."

Definition: The phrase, "active and practicing Roman Catholic," is applicable to any individual or any family whose members generally meet the following criteria:

1. Be baptized in the Roman Catholic faith;
2. Regularly participates in the worship and life of the Church; and
3. Lives a life style that is not contrary to the teachings of the Church and the moral demands of the Gospel.

### **1120 MOTTO: FULFILLING THE MISSION OF JESUS**

The primary goal of Catholic schools in the Diocese of Fresno is to assist students to grow into fullness of life in Jesus, to embrace their baptismal call to ministry, and to continue the mission of Jesus in their lives. Therefore, the diocesan motto for the Catholic schools of the Diocese of Fresno is,

***“Fulfilling the Mission of Jesus Christ.”***

This motto stresses that graduates from our schools should realize Jesus' unconditional love in their lives and freely embrace His mission, ministry, and values. Their lives should be founded upon six central Christian virtues:

- A. Faith: The graduate is a person whose faith in God is living, conscious, and active.
- B. Courage: The graduate is a person who willingly acts on his/her Christian convictions no matter the cost, the pain, or the sacrifices it entails.
- C. Respect: The graduate is a person who respects and honors God, self, and others.
- D. Integrity: The graduate is a person who consistently stands for and lives his/her moral principles.
- E. Responsibility: The graduate is a person with the capacity to make free and responsible decisions and the ability to accept both personal and social responsibility for his/her actions.
- F. Compassion: The graduate is a person who feels the pain of those suffering and who works toward making a better life for all those in need.

<b>1200 PHILOSOPHY AND GOALS STATEMENT</b>
--

*"The Catholic school pursues cultural goals and the natural development of youth to the same degree as any other school. What makes a Catholic school distinctive is its attempt to generate a community climate in the school that is permeated by the Gospel spirit of freedom and love. It tries to guide youth in such a way that personality development goes hand in hand with the development of the 'new creature' that each one has become through baptism. It tries to relate all of human culture to the good news of salvation so that the light of faith will illumine everything that the students will gradually come to learn about the world, about life, and about the human person."*

*Vatican II Declaration on Christian Education  
Gravissimum educationis, 8*

In Sharing the Light of Faith - (National Catechetical Directory) the Catholic Bishops of the United States call Catholic schools "To be communities of faith in which the Christian message, the experience of community, worship, and social concern are integrated in the total experience of students, their parents, and the members of the faculty."

In the spirit of the church's documents, the Catholic Schools of the Diocese of Fresno strive to provide students with the best Catholic education and formation possible. Focusing on the holistic development of each student, the curriculum of the Catholic Schools of the Diocese of Fresno includes comprehensive instruction in the academic subjects and in the beliefs and values of the Catholic faith which are integrated into all the academic areas of each school's program. While striving for academic excellence, the Catholic Schools of the Diocese of Fresno provide opportunities for religious, moral, social, cultural, and physical development.

Catholic schools acknowledge that parents, who have the primary responsibility for the moral and religious development of their children, are partners with the parish and the entire Christian Community in the continuing educative process. Parents work with the school's administration in the development of school policies and the budgetary process based on Christian values within the constraints of the local school resources.

The Catholic elementary and secondary schools of the Diocese of Fresno are committed to provide:

- A. Activities that allow students to actively participate in prayer and liturgy;
- B. Quality educational opportunities for students of varied academic abilities;
- C. Financial aid programs to assist those families unable to assume full financial responsibilities for tuition; and
- D. Opportunities for students to serve others in order to fulfill the mandate of the gospel and demands of justice and to recognize that society requires the cooperation and contribution of each of its members.

**1210 PHILOSOPHICAL PRINCIPLES**

Since it is the philosophy of the diocese that gives the school community unity of purpose and cohesion in the execution of its programs, it is essential that:

Updated 7/1/2014

- A. School administrators acquaint applicants for staff positions with the philosophy of the school, discuss it with them, and assure themselves that the applicant is prepared to serve within the framework of this philosophy.
- B. Teachers, as well as administrators, test honestly their own personal philosophy against the school's philosophy and agree to serve in the schools of the diocese only when these two philosophies are compatible.
- C. Parents be acquainted with the philosophy of the schools of the diocese as they enroll their children. They should understand that enrollment constitutes an agreement that their children are taught according to the school's philosophy, and they should be ready to cooperate with the school on this basis.
- D. Students, too, should be made aware of the meaning of the school's philosophy and how it impacts their daily living of the Gospel message. Children cannot learn too early that each person has a God-given power to think, to judge, and to make free and responsible decisions.

## **1220 RELATIONS WITH OTHERS**

---

Schools of the diocese recognize the special relations which result from enrolling children and engaging staff of a different faith than the Catholic faith and from hosting programs sponsored by public agencies dedicated to neutrality in relation to religious convictions. The following principles shall govern these relationships:

- A. All staff shall respect the religious and ethical teachings to which the school is committed as a Catholic school; therefore, they shall neither explicitly nor implicitly teach or counsel in such a manner as to undermine these teachings. They shall support and participate in the school's efforts to build community on the basis of mutual respect and caring; they shall motivate students as well as other staff members to be of service both within and beyond the school setting.
- B. All students shall be expected to participate in the total instructional program of the school. The religious education program of the school shall respect the beliefs of children of other faiths without apologizing for the positive content of faith which is conveyed by this program; such content shall be that of the Catholic religion.
- C. Schools in the diocese shall be gracious hosts to programs sponsored by public school agencies. At no time shall the religious neutrality under which the agencies operate be restricted. Programs sponsored by these public agencies shall not commingle with programs of the schools in the diocese in such a way as to blur the line between the distinct nature of the contributions made by each to the education of the students in our schools.
- D. Public school personnel working in the schools of the Diocese of Fresno are always exempted from participation in any religious programs. Any materials on loan from public schools shall not be used in any religious-oriented programs.

## **1230 LOCAL ADAPTATION**

---

Each of the schools of the Diocese of Fresno shall adapt this general diocesan school philosophy to its particular situation and incorporate its own school's philosophy into its own local handbook. Local school philosophies may go beyond the general diocesan philosophy, but shall not contradict it.

## SERIES 2000 ADMINISTRATION

CENTRAL ADMINISTRATIVE AND SUPERVISORY PERSONNEL	2100
BISHOP .....	2110
SUPERINTENDENT OF CATHOLIC SCHOOLS.....	2120
RESPONSIBILITIES OF THE SUPERINTENDENT .....	2121
ADMINISTRATIVE LEEWAY IN ABSENCE OF POLICY .....	2122
DIOCESAN ADVISORY BOARD OF EDUCATION .....	2130
RESPONSIBILITIES OF THE DABE .....	2131
OFFICE OF CATHOLIC EDUCATION .....	2140
EDUCATION SERVICE FEES .....	2150
RELIGIOUS COMMUNITIES.....	2160
ANNUAL CONSULTATION .....	2161
ADMINISTRATIVE CHANGES .....	2162
LOCAL ADMINISTRATION	2200
PASTOR .....	2210
PRINCIPAL.....	2220
ELIGIBILITY REQUIREMENTS FOR THE POSITION OF PRINCIPAL.....	2221
APPOINTMENT OF THE RELIGIOUS PRINCIPAL .....	2222
PROCEDURE FOR SELECTION OF LAY PRINCIPAL .....	2223
RESPONSIBILITIES OF THE PRINCIPAL .....	2224
PRINCIPAL ACCOUNTABILITY .....	2225
CONTRACT .....	2226
EMPLOYMENT.....	2226.1
CONTRACT OFFER FOR THE NEXT SCHOOL YEAR.....	2226.2
IMMEDIATE TERMINATION.....	2226.3
VICE PRINCIPAL.....	2230
LOCAL SCHOOL BOARD .....	2240
ADMINISTRATIVE PUBLICATIONS	2300
ADMINISTRATIVE HANDBOOK, DIOCESE OF FRESNO.....	2310
PRINCIPALS' GUIDEBOOK .....	2311
LOCAL SCHOOL HANDBOOK .....	2320
OFFICE OF CATHOLIC EDUCATION AND/OR SUPERINTENDENT'S BULLETINS .....	2330
DISPUTE RESOLUTION	2400

## **2000 ADMINISTRATION**

### **2100 CENTRAL ADMINISTRATIVE AND SUPERVISORY PERSONNEL**

#### **2110 BISHOP**

The Bishop as chief pastor of the Diocese of Fresno is officially responsible for all Catholic educational programs. This responsibility includes all elements that contribute to the development of the total Christian community. Under the revised Code of Canon Law, he has full authority to regulate all that pertains to Catholic religious formation and education.

*For his own diocese the local ordinary has the right of vigilance over and visitation of the Catholic schools located in his territory, even those schools which have been established or are being directed by members of religious institutes: he is likewise competent to issue prescriptions dealing with the general regulation of Catholic schools: such prescriptions are also operative for those schools which are directed by religious, with due regard for their autonomy regarding the internal management of their schools. (Canon 806)*

The Bishop of Fresno delegates the administration of Catholic schools to the following:

- A. The Superintendent of Catholic Schools
- B. The Pastor/Administrator of parish schools
- C. The Rector of diocesan high school
- D. School Principals

#### **2120 SUPERINTENDENT OF CATHOLIC SCHOOLS**

The Superintendent is appointed by the Bishop to be the Chief Executive Officer of the Office of Catholic Education (OCE) and is responsible to the Bishop for the organization, administration, and supervision of the elementary and secondary schools of the diocese.

The Superintendent, in consultation with the Bishop, appoints qualified personnel for the OCE. The staff of OCE forms an administrative team that is responsible to the Superintendent to devise the best methods for ensuring professional and instructional excellence in the Catholic schools of the diocese.

The Superintendent will report directly to the Bishop and the Diocesan Advisory Board of Education in all matters affecting the schools in the diocese. The Superintendent is also responsible for the dissemination and execution of all diocesan policies in the Catholic schools of the diocese.

#### **2121 RESPONSIBILITIES OF THE SUPERINTENDENT**

The Superintendent is responsible to:

- A. Develop and clarify the aims and goals of Catholic schools within the total teaching ministry of the Diocese of Fresno.
- B. Provide for qualified, professional personnel in the schools.

#### **2122 ADMINISTRATIVE LEEWAY IN ABSENCE OF POLICY**

In cases where emergency action must be taken within the schools and where the Diocese of Fresno has provided no guidelines for administrative action, the Superintendent of Catholic Schools shall have authority to act.

#### **2130 DIOCESAN ADVISORY BOARD OF EDUCATION**

The Diocesan Advisory Board of Education (DABE) is appointed by the Bishop to serve as a source of counsel

Updated: 130614

and advice in matters related to the elementary and secondary schools in the diocese.

The DABE shall act in this advisory capacity to the Bishop and Superintendent of Catholic Schools. The body is governed by a constitution approved by the Bishop. All board decisions, when ratified by the Bishop, are binding upon the Superintendent, all parish and other school boards, the pastors, school principals, and all personnel associated with the Catholic school system (See policy 7000 and following).

#### **2131 RESPONSIBILITIES OF THE DABE**

The responsibilities of the DABE include, but are not limited to, discussion of any major change in the operation or organization of a school; recommendation of policies affecting the standards of education; promotion of effective public relations on behalf of Catholic education.

#### **2140 OFFICE OF CATHOLIC EDUCATION**

The Office of Catholic Education shall consist of a Superintendent who shall be the Chief Administrative Officer. All staff positions will be designated as the Superintendent may deem appropriate for the efficient operation of the office. The Superintendent shall have a term of office as determined by the Bishop. All employees of the OCE shall receive salary and benefits in keeping with diocesan policy.

#### **2150 EDUCATION SERVICE FEES**

To fund the services of the Office of Catholic Education, an annual per capita tax based on the year's fall enrollment at each school, both elementary and secondary, will be set and payable to the Office no later than October first of each school year.

#### **2160 RELIGIOUS COMMUNITIES**

All Religious Communities staffing schools are to sign a contract with the diocese. The clauses, conditions, and benefits of the contract are approved by the Bishop of the Diocese of Fresno and mutually agreed upon by the Diocese of Fresno and the Religious Community. The Religious Community, in collaboration with the Superintendent, is responsible for providing religious personnel to the school.

#### **2161 ANNUAL CONSULTATION**

Superiors of the Religious Community are to consult annually with the Superintendent regarding the personnel of the schools.

#### **2162 ADMINISTRATIVE CHANGES**

The Superintendent is always to be consulted prior to any administrative changes in the school.

### **2200 LOCAL ADMINISTRATION**

#### **2210 PASTOR**

The pastor is the spiritual, as well as administrative, leader of the parish and is responsible for its total mission. As the Bishop delegates the responsibility of schools to the Superintendent, so the pastor delegates the administration of the parish school to the principal.

While the ordinary administration and supervision of the education program belongs to the principal, the pastor is the ex-officio chief administrative officer of the parish school and is delegated by the Bishop to:

- A. Establish and maintain a Christian atmosphere in the school always making certain that the students are receiving religious instruction according to the diocesan guidelines;
- B. Appoint a principal in accordance with diocesan guidelines;

Updated: 130614

- C. Evaluate the performance of the principal in cooperation with the Superintendent;
- D. Establish a local advisory school board in accordance with diocesan policy;
- E. Collaborate with the principal and local advisory school board in formulating its constitution and by-laws to conform to the diocesan guidelines;
- F. Approve a school budget through consultation with the principal and the advisory school board in accordance with the financial policies and procedures established by the diocese;
- G. Provide for the adequate maintenance and repair of the school and convent where applicable;
- H. Maintain public liability and other insurance, including health, fire and safety for the school and the convent according to the regulations of the diocese; and
- I. Participate in school programs and activities through attendance at student gatherings, parent meetings, and classroom visits.

The rights of the Pastor include the right:

- A. To be consulted prior to the expulsion of any student;
- B. To approve or disapprove the employment, non-renewal, or termination of all school employees;
- C. To be consulted before the school undertakes any activity which may involve publicity or fund raising; and
- D. To be an ex-officio member of the school's advisory board and its finance committee, parent-teacher organization, and any groups organized for the support of the school.

## **2220 PRINCIPAL**

---

The principal, in both elementary and secondary schools, is delegated by the Pastor (Rector) to be the school's chief administrative officer (CAO) and the Executive Officer of the school's Board of Education.

The principal is responsible for implementing the Catholic philosophy of the school in its daily operation.

The principal performs a ministry role in the school and, as such, must be an active and practicing Roman Catholic whose lifestyle, personal time activity, and professional conduct are in accord with the teachings and precepts of the Catholic Church.

## **2221 ELIGIBILITY REQUIREMENTS FOR THE POSITION OF PRINCIPAL**

The minimum requirements and conditions of employment for the position of principal are as follows:

The principal shall:

- A. Be an active and practicing Roman Catholic whose lifestyle, personal time activity, and professional conduct are in accord with the teachings and precepts of the Catholic Church;
- B. Be committed to the ministry, philosophy, and goals of Catholic school education;
- C. Have a BA or BS degree from an accredited college or university;
- D. Have a minimum of four (4) years successful teaching experience;
- E. Have a California teaching and/or Administrative Services credential or a predetermined plan to obtain these credentials; and
- F. Have a complete and accurate employment file held by the school and diocese.

Preference in hiring is normally given to candidates who not only meet the minimum requirements, but who possess the following:

- A. A MA or higher degree in education from an accredited college or university;
- B. Proven teaching and administrative experience in a Catholic school;
- C. Proven leadership skills; and
- D. A California teaching and/or Administrative Services credential or equivalent.

## **2222 APPOINTMENT OF A RELIGIOUS PRINCIPAL**

The religious principal of a school is appointed by the congregation's religious superior. Religious superiors must receive the approval of the school's pastor in consultation with the Superintendent prior to the appointment of a principal. All religious principals must be in compliance with the minimum requirements as given in policy 2221 (See policy 2160 and following).

Updated: 130614

### **2223 PROCEDURE FOR THE SELECTION OF LAY PRINCIPAL**

The school pastor (rector) shall notify the Office of Catholic Education when a change in school administration may occur. The Superintendent shall meet with the pastor and assist him in:

- A. Announcing the administrative change;
- B. Establishing and preparing a Search Committee composed of representatives from the school board and parish community;
- C. Obtaining a diocesan evaluation of individual candidate's qualifications measured against diocesan policy; and
- D. Selecting and hiring a new administrator.

### **2224 RESPONSIBILITIES OF THE PRINCIPAL**

The principal has, as the pastor's delegate, immediate responsibility for implementing the philosophy of the school in its regular operation. This responsibility has three basic aspects:

- A. Administering the entire school program,
- B. Supervising the staff and the instructional program, and
- C. Relating with the parents, the parish, and the general public (See Appendix 2224).

### **2225 PRINCIPAL ACCOUNTABILITY**

The Professional Accountability Instrument developed by the OCE provides the principal with a tool for self-growth as well as an opportunity to gain information from other about his/her effectiveness as a Catholic educational leader. Professional growth must continue to occur throughout the careers of all administrators.

### **2226 CONTRACT**

#### **2226.1 EMPLOYMENT**

Upon the approval of the pastor, the principal shall be a one-year contract from August 1 to July 30 by the Diocese of Fresno Education Corporation. The first contract year is considered probationary.

#### **2226.2 CONTRACT OFFER FOR THE NEXT SCHOOL YEAR**

If the principal's performance meets the requirements of the contract and is judged to be a continuing asset to the philosophical and educational environment of the school and parish by the pastor (rector), he/she may be offered another one-year contract.

The principal shall be advised in writing not later than March 15 of the pastor's intent to offer or not to offer a contract for the next school year. A principal who has been informed by the school's pastor that he or she is offered a contract for the coming school year shall give written notice to the pastor on or before April 1st to accept or not accept a contract for the coming school year. If the principal fails to notify the pastor in writing by this deadline of his or her intent to accept or not accept a contract for the coming school year, it shall be presumed that the principal has declined the offer of a contract for the coming school year.

In the case of a pastor's decision to not offer the current principal a contract for the next school year, the pastor shall inform the principal in general terms the reasons for that decision. Nothing herein shall imply that cause is necessary for not offering a contract of employment because either the school or the employee has the right to decline an offer of a contract of employment for any reason or no reason.

A principal who has been offered and has accepted a written offer of a contract for the next school year shall receive a written contract with the DOFEC. If the principal fails to sign and return this contract within 15 calendar days following the tendering of the contract to the principal by the pastor, it shall be presumed that the administrative position of said principal is vacant and all copies of the incomplete contract shall be returned to the Office of Catholic Education.



Updated: 130614

### **2226.3 IMMEDIATE TERMINATION**

If the performance of a principal does not meet the requirements of the contract, he/she may be terminated. The established diocesan guidelines for termination shall be followed (See policy 3295 and following).

### **2230 VICE PRINCIPAL**

The vice principal shall be an appointed member of the administration who serves at the discretion of the principal. The vice principal shall have a written job description that shall include the authority of the vice principal in the absence of the principal.

### **2240 LOCAL SCHOOL BOARD**

The role of the local school board is defined in the Diocese of Fresno as advisory in character. Its judgments are subject to the approval of the pastor and principal. The effectiveness of a board greatly depends on the structure of its organization and the orderly conduct of its business. The board shall always understand and respect its relationship to the school administration and to the organizational and corporate structure of the diocese of which the school is an integral part (See policy 7000 and following).

## **2300 ADMINISTRATIVE PUBLICATIONS**

### **2310 ADMINISTRATIVE HANDBOOK, DIOCESE OF FRESNO**

The *Administrative Handbook* contains the majority of diocesan-approved school policies and regulations. It is to be readily available to all pastors with schools, principals, teachers, local boards, and members of the Diocesan Advisory Board of Education.

Prior to signing a contract teachers shall have access to the *Administrative Handbook*. In the course of the annual faculty orientation process, the principal shall further acquaint teachers with the existence, scope, and character of the *Handbook*.

### **2311 PRINCIPALS' GUIDEBOOK**

The *Principals' Guidebook* is a resource and information website for administrators, updated annually by the Office of Catholic Education. It contains guidelines, procedures, and regulations that change yearly. It is a companion to the *Administrative Handbook* in which cross-references are indicated.

### **2320 LOCAL SCHOOL HANDBOOK**

The principal with the faculty prepares the local school handbook annually. It should be published well in advance of the school term. The *Administrative Handbook* sets general policy while requesting specifically that local handbooks provide details for items to be addressed in the local school handbook.

The following matters should be included in the local school handbook:

- A. The school's Philosophy
- B. Authority and responsibilities of administrators (pastor and principal), committees, boards, and other school related organizations
- C. Responsibilities of teachers
- D. Admission policies (prerequisites and priorities; non discrimination)
- E. Disciplinary procedures and rules
- F. Suspension, expulsion, and transfer procedures;
- G. Conflict resolution procedures
- H. Parental obligations (financial, participatory, attitudinal)
- I. Homework
- J. Schedule (calendar, hours)

Updated: 130614

- K. Uniform & dress Code
- L. Attendance
- M. Grading and reporting system
- N. Release of student records to parents - procedures
- O. Safety (traffic patrol, bicycle and automobile traffic plans, etc.)
- P. Emergency procedures
- Q. Health regulations, including child abuse procedures
- R. Other school policies, regulations, and practices

## **2330 OFFICE OF CATHOLIC EDUCATION AND/OR SUPERINTENDENT'S BULLETINS**

---

The bulletins and letters issued by the Office of Catholic Education to the schools' faculties shall be made available to all faculty members. These bulletins should be posted in the faculty room and one copy should be retained in the principal's office for reference.

## **2400 PARENT AND STUDENT DISPUTE RESOLUTION PROCESS**

---

*This policy and process does NOT apply to:*

1. *Disputes between a school employee and employer (see policy 3297); and*
  2. *Dispute involving illegal harassment (including sexual harassment), safe environment, retaliation, reporting suspected child abuse, or hostile work place (see policies 3710, 3711, 3261, 3254).*
- 

Disputes often arise in schools due to misunderstandings, differences in judgment, opposing interpretations of school policy, or alleged inequalities in the relationship between and among students, parents, teachers, and the principal. All parties involved in a dispute are expected to manifest good faith in their efforts to resolve disputes by maintaining an atmosphere of mutual understanding, confidentiality, and Christian charity.

### **TO RESOLVE DISPUTES:**

**STEP ONE:** Disputes shall be presented within ten (10) school days of the incident that caused the dispute to the person most directly responsible for the matter involved in the dispute. The disputing party must declare that he/she is presenting a dispute according to policy 2400. For example, a parent complaint regarding a teacher's homework policies should be taken directly by the parent to the teacher for resolution.

**STEP TWO:** If the dispute cannot be resolved at Step One to the satisfaction of the disputing party, the complaining party within ten (10) school days of the response given at Step One may present his/her dispute to the principal for review and decision according to policy 2400. If the dispute is concerning an employee, the principal shall advise the employee of the nature of the complaint. The employee shall be given ample opportunity for explanation, comment, and presentation of facts as he/she sees them. The principal shall conclude his/her review of the dispute and render his/her decision within ten (10) school days of the referral described in this Step.

**STEP THREE:** If the dispute cannot be resolved at Step Two, the complaining party within ten (10) school days of the principal's decision in Step Two may present the dispute to the school's pastor (rector for diocesan high schools) for his review and decision. The pastor/rector shall conclude his review of the dispute and render his decision within ten (10) school days of the referral to him described in this Step.

**STEP FOUR: DIOCESAN REVIEW:** If the dispute cannot be resolved at Step Three, the disputing party, within ten (10) school days of the pastor's/rector's decision at Step Three, may petition the Superintendent of Catholic Schools in writing for his/her review of the dispute. The Superintendent, at his/her sole discretion, may decide to review or not review the dispute in question. If the Superintendent chooses to review the dispute, he/she shall render an advisory recommendation to the pastor/rector in writing within ten (10) school days of receiving the

Updated: 130614

written petition unless the Superintendent determines that additional time is required to adequately investigate and resolve the dispute. Normally, the school pastor's/rector's decision is the final ruling on a dispute.

**LENGTHEN DEADLINES:** Any request to lengthen the time deadlines set by this policy must be submitted in writing to the Superintendent for his/her approval.

## SERIES 3000 PERSONNEL

MINISTRY OF TEACHING IN A CATHOLIC SCHOOL	3100
CONTRACTED/EXEMPT PERSONNEL	3200
RECRUITMENT AND SELECTION .....	3210
HIRING PREFERENCE FOR PRACTICING CATHOLICS .....	3211
EMPLOYEE/APPLICANT NON-DISCRIMINATION POLICY.....	3212
RELIGIOUS PERSONNEL.....	3220
CONTRACTED LAY PERSONNEL.....	3230
PERSONNEL RECORDS .....	3240
PERSONNEL DOCUMENTS RETAINED FOR CONTRACTED PERSONNEL .....	3241
CONFIDENTIALITY OF EMPLOYEE INFORMATION.....	3242
MEDICAL INFORMATION.....	3243
EMPLOYEE REVIEW OF PERSONNEL FILE .....	3244
RELEASE OF CURRENT OR PAST EMPLOYEE INFORMATION.....	3245
CHANGE OF EMPLOYEE INFORMATION.....	3246
EMPLOYMENT QUALIFICATIONS .....	3250
FAITH COMMITMENT .....	3251
FORMATION IN THE CATHOLIC FAITH .....	3252
FINGERPRINT CLEARANCE.....	3253
SAFE ENVIRONMENT CODE OF CONDUCT.....	3254
PROFESSIONAL QUALIFICATIONS FOR TEACHING PERSONNEL .....	3255
HEALTH REQUIREMENT .....	3256
TEACHER RESPONSIBILITIES .....	3260
REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT .....	3261
RELATIONAL ATTITUDES.....	3262
RELATIONSHIPS WITH STUDENTS .....	3262.1
STANDARDS FOR ELECTRONIC CONTACT WITH STUDENTS .....	3262.2
FIDELITY TO THE CHURCH .....	3263
CONTINUING FORMATION OF PERSONNEL.....	3270
SAFE ENVIRONMENT TRAINING FOR CERTIFICATED PERSONNEL .....	3271
FACULTY IN-SERVICE .....	3272
TEACHER EVALUATION .....	3273
COMMITMENT TO THE MISSION AND PHILOSOPHY OF A CATHOLIC SCHOOL.....	3274
TEMPORARY AND PART-TIME PERSONNEL .....	3280
SUBSTITUTE TEACHERS .....	3281
QUALIFICATIONS.....	3281.1
DOCUMENTS-VERIFICATION.....	3281.2
CONTRACTS .....	3281.3
CONTRACTS .....	3290
TERM OF TEACHER CONTRACT.....	3291
TEACHER INTRODUCTORY PERIOD STATUS.....	3292
CONTRACT OFFER FOR THE NEXT SCHOOL YEAR .....	3293
REDUCTION OR ELIMINATION OF CERTIFIED EMPLOYMENT POSITION .....	3294

DISMISSAL .....	3295
IMMEDIATE TERMINATION .....	3295.1
EMPLOYEE PETITION TO RESIGN FROM CONTRACTED EMPLOYMENT .....	3295.2
CONTRACT PROCEDURES .....	3295.3
DETERMINATION OF EARLY TERMINATION PAY .....	3295.4
DISCIPLINARY ACTION.....	3296
ORAL REPRIMAND .....	3296.1
WRITTEN REPRIMAND.....	3296.2
DISCIPLINARY SUSPENSION.....	3296.3
DISCIPLINARY PROBATION .....	3296.4
ADMINISTRATIVE LEAVE .....	3296.5
EMPLOYEE DUE PROCESS PROCEDURE .....	3297
BINDING ARBRITRATION .....	3298
<hr/>	
<b>CLASSIFIED/NON-EXEMPT PERSONNEL</b> .....	<b>3300</b>
<hr/>	
CLASSIFIED PERSONNEL POLICIES.....	3310
PERSONNEL DOCUMENTS RETAINED FOR CLASSIFIED PERSONNEL .....	3311
EMPLOYMENT QUALIFICATIONS .....	3320
FAITH COMMITMENT .....	3321
FINGERPRINT CLEARANCE.....	3322
SAFE ENVIRONMENT CODE OF CONDUCT.....	3323
EMPLOYEE RESPONSIBILITIES.....	3330
REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT .....	3331
SAFE ENVIRONMENT TRAINING FOR CLASSIFIED PERSONNEL.....	3332
SECRETARY/BOOKKEEPER .....	3333
CUSTODIAN .....	3334
TEACHER AIDE.....	3335
COACH .....	3336
FOOD SERVICE WORKER.....	3337
NURSE .....	3338
BUS DRIVER .....	3339
SUPERVISION AND EVALUATION.....	3340
RENEWAL/TERMINATION OF EMPLOYMENT .....	3341
<hr/>	
<b>VOLUNTEER PERSONNEL</b> .....	<b>3400</b>
<hr/>	
VOLUNTEER POLICIES .....	3410
PERSONNEL DOCUMENTS REQUIRED FOR VOLUNTEERS.....	3420
VOLUNTEER REQUIREMENTS.....	3430
FINGERPRINT CLEARANCE.....	3431
SAFE ENVIRONMENT CODE OF CONDUCT.....	3432
SAFE ENVIRONMENT TRAINING FOR SCHOOL VOLUNTEERS .....	3433
<hr/>	
<b>EMPLOYEE COMPENSATION AND RELATED BENEFITS</b> .....	<b>3500</b>
<hr/>	
COMPENSATION.....	3510
RELIGIOUS PERSONNEL .....	3511
FULL-TIME LAY TEACHERS .....	3512
PART-TIME LAY TEACHERS .....	3513
SUBSTITUTE TEACHERS .....	3514

BENEFITS AND ELIGIBILITY .....	3520
FULL-TIME EMPLOYEE BENEFITS .....	3521
HEALTH INSURANCE BENEFIT .....	3521.1
RETIREMENT BENEFIT .....	3521.2
SOCIAL SECURITY BENEFIT .....	3521.3
LIFE INSURANCE BENEFIT .....	3521.4
DISABILITY INSURANCE BENEFIT .....	3521.5
WORKER'S COMPENSATION BENEFIT .....	3521.6
CONTINUATION OF HEALTH INSURANCE AFTER EMPLOYMENT ENDS .....	3521.7
PART-TIME EMPLOYEE BENEFITS .....	3522
TEMPORARY EMPLOYEES BENEFITS .....	3523
BENEFITS NOT PROVIDED .....	3524

LEAVES AND ABSENCES	3600
---------------------	------

NOTIFICATION OF ABSENCE .....	3610
FAMILY/SCHOOL PAID OR UNPAID LEAVE .....	3611
ABSENCE OF PRINCIPAL .....	3615
PAID LEAVES .....	3620
PAID LEAVE FOR ILLNESS OR INJURY .....	3621
CERTIFICATION OF ILLNESS OR INJURY .....	3621.1
PAID PERSONAL LEAVE .....	3622
PAID LEAVE FOR BEREAVEMENT .....	3623
PAID LEAVE FOR JURY DUTY .....	3624
WITNESS DUTY .....	3625
UNPAID LEAVES .....	3630
UNPAID LEAVE FOR EMPLOYEE ILLNESS OR INJURY .....	3631
UNPAID LEAVE AS PROVIDED BY LAW .....	3632
GENERAL UNPAID LEAVES OF ABSENCE .....	3633
EMPLOYEE REIMBURSEMENT .....	3634
MEDICAL CERTIFICATION OF FITNESS TO RETURN TO WORK .....	3640

MISCELLANEOUS	3700
---------------	------

HARASSMENT .....	3710
HARASSMENT PROCEDURE .....	3711
FINGERPRINT CLEARANCE .....	3720
FINGERPRINT CLEARANCE FOR APPLICANTS FOR SCHOOL EMPLOYMENT .....	3721
EMPLOYEE CLEARANCE .....	3722
FINGERPRINT CLEARANCE FOR EMPLOYEES OF INDEPENDENT CONTRACTORS .....	3723
FINGERPRINT CLEARANCE FOR LICENSED CHILD CARE PROGRAMS .....	3724
FINGERPRINT CLEARANCE FOR SCHOOL VOLUNTEERS .....	3725
NO RIGHT OF PRIVACY OR CONFIDENTIALITY FOR ELECTRONICS SYSTEMS .....	3730
PROHIBITED USE OF ELECTRONICS SYSTEMS .....	3731



## **3000 PERSONNEL**

### **3100 MINISTRY OF TEACHING IN A CATHOLIC SCHOOL**

*"To you it is given to create the future and give it direction by offering to your students a set of values with which to assess their newly discovered knowledge. Few challenges are more exalting and rewarding than the instruction and guidance of young people. You are preparing for adulthood and Christian maturity, a generation who will build the church and the society of tomorrow."*Pope John Paul II Address to Catholic Educators

### **3200 CONTRACTED/EXEMPT PERSONNEL**

#### **3210 RECRUITMENT AND SELECTION**

The Office of Catholic Education will assist local schools in recruiting teachers, but selection and hiring will be the responsibility of the principal, in consultation with the Pastor.

#### **3211 HIRING PREFERENCE FOR PRACTICING CAHOLIC**

To support the religious mission and purpose of Catholic schools and to build a strong Catholic culture on each campus, Catholic schools shall give preference to applicants for full-time teaching positions who are active and practicing Roman Catholics (see policy 1111).

All applicants for the position of school president or principal must be active and practicing Roman Catholics. There are no exceptions to this policy.

#### **3212 EMPLOYEE/APPLICANT NONDISCRIMINATION POLICY**

The Catholic schools of the Diocese of Fresno do not discriminate against any employee or applicant for employment on the basis of gender, age, disability, race, color, and national and/or ethnic origin. The school shall take care to provide equal in-service opportunities solely on the basis of professional need, to offer equal opportunities for promotion, and to establish a rate of pay that is based on criteria other than race, gender, age, handicap, color, or national and/or ethnic origin. The Diocese of Fresno reserves the right to give a preference in hiring to "active and practicing" Roman Catholics (see policy 1111).

The Special Needs Employee/Applicant: While the Catholic schools do not discriminate against applicants and employees with special needs, a full range of required accommodations may not always be available to them. Decisions concerning the hiring and continued employment of an employee with a special need in a school are based upon the applicant's/employee's ability to meet the job performance expectations of the school with reasonable and affordable accommodations. Applicants and employees should realize that they may request an adjustment or accommodation to fulfill the job requirements and expectations with a special need, but the principal must determine whether the school has the resources and training necessary to support any accommodation requested.

The established diocesan grievance process shall be accessible to employees or applicants who charge that they have been subjected to discrimination (See policy 3297).

#### **3220 RELIGIOUS PERSONNEL**

Members of religious congregations are engaged according to either of two approved procedures upon receipt of a personnel file in the Office of Catholic Education.

A. Community Contracts - Religious staff is assigned by the proper major superior under an agreement

approved by the Bishop. No Pastor shall engage or dismiss a religious teaching community without the written consent of the Bishop of the Diocese.

- B. Individual Contracts - Where no "Community Agreement" is present, Pastors and principals may engage the services of a religious under an individual contract, provided that they: (a) file an Application Form with the Office of Catholic Education, (b) obtain written approval of the proper major superior, and (c) have the approval of the Bishop of the Diocese.

### **3230 CONTRACTED LAY PERSONNEL**

---

Principals, in consultation with the Pastor, may hire lay personnel for part-time or full-time service only after the candidate has opened a personnel file in the Diocesan Office of Catholic Education.

### **3240 PERSONNEL RECORDS**

---

Each school shall maintain confidential personnel files for all employees. Failure on the part of an applicant for employment or an employee to provide accurate information for inclusion in his/her personnel file shall be sufficient cause for non-selection or termination of employment.

### **3241 PERSONNEL DOCUMENTS RETAINED FOR CONTRACTED PERSONNEL**

As a condition of employment, the following contracted employee's personnel documents shall be retained by the school with these documents kept in the employee's personnel file unless indicated below:

- A. Pre-employment Documents:
1. The employee's application, resume, reference letters, evaluation forms, and/or other application documents (not released to employee);
  2. I-9 "Employment Eligibility Verification" (school file);
  3. Proof of freedom from TB (renewed every 4 years – medical file);
  4. Written notification from the Diocesan Fingerprint Clerk that the applicant's fingerprints have been successfully processed and cleared (See policies 3720 and following – school or personnel file); and
  5. Signed Safe Environment "Code of Conduct" (school or personnel file);
- B. Employment Documents:
1. Employment contracts, letters of assignment, or job offer;
  2. An annually signed copy of the "Employee Responsibility Form" regarding child abuse reporting, harassment, and school safety;
  3. Official copies of college transcripts, teaching credentials, notification of passing CBEST;
  4. Current Safe Environment training "Certificate of Completion" (due within 60 days of hire – school or personnel file);
  5. Performance evaluations conducted at the school;
  6. School generated letters of recommendation with accompanying "Release Authorization Form";
  7. Records of absences, tardiness, personal days, leaves, etc. (school or personnel file);
  8. Health, injury, worker compensation, and other medical information (medical file);
  9. Correspondence and records of a disciplinary nature; and
  10. Any other documents as determined by the school administrator.

### **3242 CONFIDENTIALITY OF EMPLOYEE INFORMATION**

The school respects the privacy of its employees and strives to ensure that confidential information on employees and former employees is not improperly released either within the school or to external sources.

### **3243 MEDICAL INFORMATION**

Medical information shall be maintained in a separate confidential personnel medical file. This file shall contain information pertaining to the medical or mental health status of the employee (e.g., TB skin test results, workers compensation files and reports, employee reports of illness, employee medically related Family Medical Leave requests, physician notes and reports, requests for employee medical leave, health and life insurance applications, disability insurance claims, requests for medical or mental health job accommodations, etc.).



### **3244 EMPLOYEE REVIEW OF PERSONNEL FILE**

Employees may review their personnel files provided that they arrange for an appointment with the Principal. All documents in the personnel file may be reviewed with the exception of references and original investigations. Employee personnel files and documents may not be removed from the school. Employees will be provided copies of personnel records upon written and signed request at the employee's expense.

### **3245 RELEASE OF CURRENT OR PAST EMPLOYEE INFORMATION**

Any calls, questions, or forms concerning confidential information on a current or past employee including reference or credit checks, unemployment claims, employment and salary histories, home addresses and phone numbers, the location of employees who are not at work, the employee's social security number, or any other confidential matters shall be referred to the school Pastor, principal, or Superintendent.

A. Requests WITHOUT a diocesan "Release Authorization Form":

Only dates of employment and job title may be released without the explicit, written authorization of the employee.

B. Requests with a diocesan "Release Authorization Form": If the requesting party has provided the school or diocese with an employee signed written authorization using the diocesan "Release Authorization Form," additional written information may also be released. The purpose for the requested information and any limitations to the information to be released should be stated on the "Release Authorization Form." Unless medical records or files are specifically authorized on the diocesan form, they shall not be included in the files released. Care should be taken to give references based on documented items in an employee's file.

The Diocese of Fresno Education Corporation reserves the right to refuse to provide a current or past employee a letter of reference.

### **3246 CHANGE OF EMPLOYEE INFORMATION**

It is the responsibility of each employee to inform the Principal of any changes in employee information (e.g., name, address, telephone number, etc.).

### **3250 EMPLOYMENT QUALIFICATIONS**

---

#### **3251 FAITH COMMITMENT**

The effective Catholic school certificated employee witnesses support of Catholic Gospel values and tradition.

#### **3252 FORMATION IN THE CATHOLIC FAITH**

Catholic schools exist to form students in the Catholic faith. To be able to effectively and convincingly accomplish this goal, it is essential that all full-time school and childcare program employees, even those employees who are members of another religious tradition, continue to grow in their understanding of the Catholic faith.

To realize this goal, the following criteria apply to different employment positions:

1. For Teachers of Religion and School Presidents and Principals: They must obtain within four years of first hire a current Diocese of Fresno "Catechist Certificate." This "Catechist Certificate" will expire and must be kept current to retain employment eligibility.
2. For All Other Full Time School Personnel: They must obtain within four years of first hire a Diocese of Fresno "Certificate in the Catholic Faith." This certificate does not expire.

### **3253 FINGERPRINT CLEARANCE**

Before beginning work, all employees must obtain fingerprint clearance as required by policies 3720, 3721, and 3722.

### **3254 SAFE ENVIRONMENT CODE OF CONDUCT**

Before beginning work, contracted employees must review and sign the Diocese of Fresno Safe Environment "Code of Conduct." Within 60 days of starting work, all employees must complete the two-hour Basic Safe Environment Training Course approved by the Diocese and obtain a "Certificate of Completion."

### **3255 PROFESSIONAL QUALIFICATIONS FOR TEACHING PERSONNEL**

Minimum Requirements: As a condition of employment, all Catholic school teacher applicants and current teachers are required to hold:

- A. A bachelor's degree in a field relevant to education,
  - B. A signed copy on file at the school of the Safe Environment "Code of Conduct" (See policy 3254), and
  - C. A clear criminal history record as determined by Diocese of Fresno (See policies 3720 and following).
- There are no exceptions to these minimum requirements.

Additional Credential or MA Requirement: As a condition of employment, all Catholic school teacher applicants and current teachers are also required to hold a current California teaching credential or a master's degree in their teaching area or in Education.

Exceptions to Credential or MA Requirement: On a case-by-case basis, the Superintendent of Catholic Schools may grant an exception to this requirement for teacher applicants or current teachers as follows:

- A. Credential Plan: A teacher applicant or a current teacher must submit for approval to the Superintendent of Catholic Schools one of the following Credential Plans that has been approved by the school's principal:
  - 1. College/University Credential Plan: To obtain the Superintendent's approval of a College/University Credential Plan, the teacher applicant or current teacher must:
    - a. By the end of the first year of the approved Credential Plan, have been formally admitted to a state-approved credential program at an accredited college/university.
    - b. By the end of each of the second - fifth years of the approved Credential Plan, have successfully completed at least six semester units (or nine quarter units) annually.No exception to the approved Credential Program Plan will be granted for a seventh year or if the previous year's requirements have not been met.
  - 2. SB 57 Credential Plan: To obtain the Superintendent's approval of a SB 57 Credential Plan, the teacher applicant or current teacher must:
    - a. By the end of the second year of an approved SB 57 Credential Plan, have successfully passed the following two courses from an accredited college or university: Developing English Language Skills and U.S. Constitution (either by taking the course or by exam).
    - b. By the end of the third year of an approved SB 57 Credential Plan, have successfully completed the state-required Subject Matter Competence by achieving a passing score on the appropriate "California Subject Examination for Teachers" (CSET) or an approved subject-matter competence program of study.
    - c. By the end of the fourth year of an approved SB 57 Credential Plan, have successfully passed the Reading Instruction Competence Assessment (RICA) if seeking a Multiple Subject Credential.No exception to a SB 57 Credential Plan will be granted for a seventh year or if the previous year's requirements have not been met.
  - 3. CalState TEACH Credential Plan: To obtain the Superintendent's approval of a CalState TEACH Credential Plan, the teacher applicant or current teacher must:
    - a. By the end of the first year of an approved CalState TEACH Credential Plan, have been formally admitted to the four-semester CalState TEACH program.

- b. By the end of each of the second - third years of an approved CalState TEACH Credential Plan, have successfully completed at least two semesters annually.
  - c. By the end of the fourth year, have successfully complete the program which includes passing the appropriate CSET and, if applicable, RICA exams.  
No exception to a CalState TEACH Credential Plan will be granted for a fifth year or if the previous year's requirements have not been met.
4. Reciprocity (Out-of-State) Credential Plan: A current out-of-state teaching credential will be considered equivalent to a current California credential for only the first three years of teaching. After three years, a teacher with a current out-of-state credential must submit a California teaching credential or an MA in his/her teaching field or an MA in education to remain eligible for future employment.
- B. Master's Degree Plan: A teacher applicant or current teacher must submit for approval to the Superintendent of Catholic School a Master's Degree Plan for a degree in his/her teaching field or an MA in education that has been approved by the school's principal. To obtain the Superintendent's approval of an MA Degree Plan, the teacher must:
- 1. By the end of the first year of an approved MA Degree Plan, have been formally admitted to an MA degree program at an accredited college/university.
  - 2. By the end of each of the second - fifth years of the approved MA Degree Plan, have successfully completed at least six semester units (or nine quarter units) annually.
- No exception to an MA Degree Plan will be granted for a seventh year or if the previous year's requirements have not been met.
- C. Previously Granted Exceptions: Beginning on July 1, 2008, all previously granted exceptions to policy 3252 are void. A teacher who has been granted a previous exception(s) is granted an additional six years according to the terms of paragraphs A and B above to obtain a California teaching credential or an MA degree in his/her teaching area or in Education to remain eligible for future employment.

Hardship Exception: The Superintendent of Catholic Schools may at his/her sole discretion, on a case-by-case basis, grant an exception to the above stated rules for any teacher who has verified extenuating circumstances that make it impossible for the teacher to meet the terms of this policy (e.g. pregnancy, advanced age, etc.).

### **3256 HEALTH REQUIREMENT**

Applicants may be asked to submit proof of fitness to engage in the position available through means of a statement from the applicant's physician. Administrators and teachers are expected to enjoy good health adequate to the demands of their profession.

No person shall be initially employed by a school unless the person has submitted to an examination within the past two years to determine that he/she is free of active tuberculosis. All employees must have the examination at least once every four years as required by State guidelines.

### **3260 TEACHER RESPONSIBILITIES**

All teachers receive their assignments from the principal. Their primary responsibility is the Christian formation and academic education of students. Fulfillment of this duty includes:

- A. Knowing, teaching, and acting consistently in accordance with the mission, philosophy, objectives, and policies of the school.
- B. Supporting the administration, faculty, staff, and students by mutual respect, cooperation, and good example.
- C. Performing teaching duties in a competent, professional, and Christian manner.
- D. Developing a sound instructional program to ensure for students an environment conducive to academic, social and moral growth.

Since the most critical factor in providing a quality Catholic education is a competent teacher fully cognizant

of his/her responsibility, clarity is essential. Therefore the teacher shall:

- A. Teach in accordance with the diocesan curriculum design as implemented by the school;
- B. Maintain a controlled classroom environment appropriate for maximum student learning;
- C. Act responsibly with respect to children's rights;
- D. Confer with the principal on all serious disciplinary problems;
- E. Confer with parents when necessary and/or appropriate;
- F. Assume responsibility for continued professional growth as required by diocesan regulations;
- G. Participate in religious formation opportunities;
- H. Communicate regularly with the principal and staff in the spirit of building faith community;
- I. Participate in faculty meetings;
- J. Cooperate with the principal in providing control and supervision in buildings and on school grounds;
- K. Be regularly available before and after school;
- L. Maintain accurate records and reports;
- M. Strive to promote an awareness and appreciation of varied ethnic backgrounds;
- N. Secure the principal's approval for all communications and/or correspondence sent from the school;
- O. Cooperate in school related meetings, activities, and projects; and
- P. Perform such other duties consistent with the work of a teacher as the principal may from time to time designate.

### **3261 REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT**

As a condition of employment, all school employees will comply with the suspected child abuse reporting laws of the state of California (see PGB and Section 11166 of the California Penal Code). Any school employee 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 or neglect shall report immediately (or as soon as practically possible) by telephone the known or suspected instance of child abuse or neglect to a child protective agency. The employee shall also prepare and send a written report on DOJ form SS-8572 to the child protective agency within thirty-six (36) hours of receiving the information concerning the incident (See policy 4710).

The employee shall report suspected child abuse or neglect to the school principal or delegate. If possible, the employee shall make the required telephone report with the principal and complete the mandatory written report with the principal.

All school employees shall annually sign the "Diocese of Fresno Annual Employee Responsibility Form" certifying that they understand their responsibility to report suspected child abuse or neglect and that they will comply with this policy.

### **3262 RELATIONAL ATTITUDES**

The effective Catholic school educator relates well with students, parents, and colleagues and works collaboratively with others in a variety of situations.

#### **3262.1 RELATIONSHIPS WITH STUDENTS**

##### General Guidelines

- A. All those employed by Catholic schools must recognize that while on campus or at any school-related event they are role models who are called to treat each student with Christian respect and care. Faculty and staff members must maintain professional relationships with students both on and off the campus.
- B. Students should be viewed as the "restricted individuals," that is, they are not independent persons or adults, but need guidance from parents/guardians and other responsible adults in their decision-making. All involvements or interactions should be approached from this premise.
- C. Faculty and staff should never exploit their authority in their dealings with students. Caution, caring, and professional attitudes are to be observed in all interactions with students.

### Specific Guidelines

- A. Faculty/staff must not meet informally with a student outside of school without the knowledge and permission of the student's parent/guardian. Students are never allowed to go to a faculty/staff member's residence unless it is a student's family or school sponsored activity. Any school-sponsored activity at a faculty/staff member's home would require the permission of the parents, the presence of other adult chaperones, and the knowledge and permission of the school administration.
- B. The school administration should discourage the use of a faculty or staff member's personal vehicle to transport students. Driving students by a faculty/staff member is prohibited unless it is to or from a school-sponsored activity, which requires parental permission slips that indicate that a faculty/staff member is providing transportation.
- C. All school-sponsored student trips should have a sufficient number of adult chaperones to preclude the appearance of inappropriate personal involvement with students.
- D. Faculty/staff should avoid being alone with one or even a few students in a room where the door is closed or where visibility from outside the room is limited. Faculty/staff should only engage in playing games or sports activities with students in the presence of others and in a place accessible/visible to others.
- E. Faculty/staff members must respect the physical boundaries of their students. Faculty/staff must never put their hands on students in a manner that a reasonable person could interpret as inappropriate. School employees must avoid tickling, wrestling, poking, punching, spanking, or allowing a student to sit in his/her lap. Students must never be touched in anger, nor should they be touched in any way that could be construed as inappropriately affectionate.
- F. A faculty or staff member must never date a student. A breach of this code will result in immediate dismissal.
- G. Faculty and staff members must always consider the risk in discussing personal matters with students. If they believe that a student is in some kind of trouble, they should refer the student to a school counselor or administrator.
- H. Discussions of a romantic or sexual topic must only take place in an appropriate educational context. Faculty and staff members should never discuss their own romantic/sexual activities with students. Topics or vocabulary that could not comfortably be used in the presence of parents or the school principal should not be employed with students. Sexual jokes, slang, or innuendos, and comments about a student's body must be avoided when interacting with students.
- I. Unless approved by the school principal, the consumption of alcoholic beverages should be avoided in the presence of students at all school events. Alcohol should never be used irresponsibly prior to attending school events.

### **3262.2 STANDARDS FOR ELECTRONIC CONTACT WITH STUDENTS**

The purpose of these standards is to protect students and personnel. These standards for electronic communications with students extend to all electronic forms of written, verbal, and visual, communications. Electronic contacts between an employee and a student must always be considered professional contacts with one exception – when the employee is an actual relative of the student. With this one exception, all other electronic contacts with students must meet the following standards. Any violation of these standards may result in disciplinary action including possible dismissal.

- A. Content Standard: School personnel using any form of electronic communication (email, instant messaging, text messaging, micro-blogging services [e.g. Twitter, SMS, etc.], web pages, blogs, wiki, or social networking sites) shall be aware that any information displayed or transmitted therein may be evaluated by the school in light of the individual's ministry in a Catholic school. Any school employee who electronically publishes or transmits values or actions which are contrary to the teaching and values of the Catholic Church may be disciplined by the school.
- B. Email Standard:
  - 1. Using School Email Account: It is appropriate for school personnel to communicate with students using the school's assigned email account which can be monitored by the school. Additionally, for the protection of employees, it is advisable to electronically copy (cc) the student's parents/guardians and/or the employee's supervisor with every email sent to a student.
  - 2. Using Private Email Account: If the school does not provide employees with a monitored school email account, they may use their private, personal accounts as long as these employees

electronically copy (cc) to the student's parents/guardian and/or school supervisor every email sent to a student.

- C. Social Networking Sites Standard: These sites (which include, but are not limited to, MySpace, FaceBook, YouTube etc.) should be avoided when communicating with students. Students should never be listed as an employee's "friend" nor should school employees be listed as a "friend" on a student page.
- D. Text Messaging Standard: Instant messaging (texting or chatting) with students is only appropriate when a school supervisor is also a recipient of the same message.

### **3269 Fidelity to the Church**

*"The Catholic school's effectiveness as a community of faith and a center for evangelization and catechesis depends to a large extent on its teachers of religion. Who they are, what they say, and what they do should be integrated harmoniously if they are to be genuine educators in the faith. The role of the religion teacher is of first importance." (Lay Catholics in Schools: Witnesses to Faith, 59).*

If a member of the faculty or staff personally disagrees, dissents, or objects to any Church Teaching or practice, they should seek counsel from the school's pastor/rector, the school's principal, or a spiritual counselor to better understand the Catholic faith.

Since members of the faculty and staff represent the school and its mission and philosophy, they are not to express their dissent or objections to Catholic teaching with students and/or parents or use any public means, including social media and the internet, to express, disseminate, or publish their concerns or dissent.

If a faculty or staff member can no longer publically support Church teaching or practice, and finds it impossible to not share his/her personal dissent with Church teaching with students or parents, this employee then does not support the school's primary mission and philosophy and is not eligible for continued employment. Any violation of this policy would be a breach of the terms and conditions of employment in a Catholic school.

## **3270 CONTINUING FORMATION OF PERSONNEL**

---

### **3271 SAFE ENVIRONMENT TRAINING FOR CERTIFICATED PERSONNEL**

After gaining the "Certificate of Completion" for the Basic Safe Environment Training Course, employees must renew their Safe Environment training during each diocesan renewal training cycle.

### **3272 FACULTY IN-SERVICE**

Prior to each school year, the principal will conduct a faculty orientation for all on-site personnel.

Well-planned faculty meetings are vital to professional growth, the implementation of policies, the instructional program, and faculty relationships. These meetings are normally to be held monthly, or more often if necessary. The school day may be shortened in accordance with the regulations governing early dismissal. In addition to the "required number of school days in session" all school calendars shall include at least two additional teacher-in-service days.

### **3273 TEACHER EVALUATION**

The Office of Catholic Education shall maintain and regularly review a system-wide program for evaluating a teacher's classroom performance (See PGB).

The purposes of the teacher evaluation required in diocesan schools are as follows:

- A. To assure support for the goals of Catholic education and of the school program.

- B. To assist in the professional growth of the teacher.
- C. To improve the instructional program.
- D. To identify and retain effective teachers.

### **3274 Commitment to the Mission and Philosophy of a Catholic School**

The Catholic schools of the Diocese are committed to the on-going personal and spiritual growth of its faculty and staff members. The school administration shall continuously set aside quality time to discuss the school's and diocese's mission and philosophy statements (see policies 1110 and 1200).

The goal of this focus time is to assist the faculty and staff to know, understand, and accept the school's and diocese's mission and philosophy and implement them.

### **3280 TEMPORARY AND PART-TIME PERSONNEL**

---

At times schools may need the services of temporary and/or part-time personnel. These employees receive their assignments from the principal.

### **3281 SUBSTITUTE TEACHERS**

Whenever the regular teacher is absent, the principal, in order to assure the continuity of the instructional program, will secure the services of a qualified adult substitute. The regular classroom teacher will provide a readily accessible file for substitute use which includes current and complete plans, activities, and information which can be accurately and easily followed by personnel assigned to the class.

#### **3281.1 QUALIFICATIONS**

No person shall be engaged as a day-to-day substitute without meeting minimum diocesan standards of professional training.

Long-term substitutes, as well as short-term and part-time teachers are expected to meet the same qualifications and to fulfill the same applicable responsibilities as full time teachers (see diocesan policy 3250ff).

#### **3281.2 DOCUMENTS-VERIFICATION**

All temporary and part-time staff must be registered with the Office of Catholic Education. The procedures for hiring full-time teachers are also applicable to these teachers.

#### **3281.3 CONTRACTS**

Day-to-day substitutes do not serve under contract; however, at the beginning of employment such a teacher should be informed concerning salary arrangements and, if possible, the probable duration of employment.

Other temporary teachers shall be employed according to the terms of the diocesan Offer of Contract. They shall serve for a period of time not longer than the current school year, subject to the discretion of the principal to terminate their services upon five days written notice.

Part-time teachers shall be employed according to the terms of the diocesan Offer of Contract.

### **3290 CONTRACTS**

---

Teaching contracts between the Diocese of Fresno Education Corporation (hereinafter "DOFEC") and elementary school teachers shall be executed by the teacher, the principal of the school, the Pastor of the Church, and the Superintendent of Catholic Schools in the Diocese of Fresno (hereinafter "Superintendent"). Teaching contracts between DOFEC and high school teachers shall be executed by the teacher, principal of the high school, and the Superintendent.

### **3291 TERM OF TEACHER CONTRACT**

The term of all full-time and full-year elementary and secondary teacher contracts shall be 185 days and the contract salary shall be paid over ten months commencing normally on August 31 and continuing until June 15 of the following year. The teacher may elect to be paid over twelve months. The term and salary of all part-time and/or part-year elementary and secondary contracts shall be prorated.

A teacher who has been offered and has accepted a written offer of a teaching contract for the next school year shall receive a written contract from the DOFEC. If the teacher fails to sign and return this contract within 15 calendar days following the tendering of the contract to the teacher by the principal, it shall be presumed that the teaching position of said teacher is vacant and all copies of the incomplete contract shall be returned to the Office of Catholic Education.

It shall be the responsibility of each teacher to be aware of and understand all terms of the proposed teacher contract between DOFEC and him or her prior to executing such contract. A faculty handbook shall be given to each teacher at those schools in which a faculty handbook has been promulgated.

Written contracts shall not be offered to day-to-day or short-term substitute teachers.

### **3292 TEACHER INTRODUCTORY PERIOD STATUS**

All new teachers in a school shall be required to serve a one-year introductory period and will be given an introductory period teacher contract. At the end of the first semester and at the end of the introductory period, the school principal will complete the "Teacher Evaluation Form". A copy of each evaluation shall be forwarded to the Superintendent.

At the end of the introductory period, one of the following actions shall be taken with a teacher with an introductory period contract:

- A. The teacher may be offered a contract for the next school year on a non-introductory, regular basis;
- B. The teacher may be offered a continued introductory period contract for the next school year; or
- C. The teacher may not be offered a contract for the next school year (see policy 3293)

A teacher with an introductory period contract may be dismissed without cause upon being given two weeks' notice of intention to dismiss, if such dismissal is approved by the principal with the concurrence of the Pastor (Rector), Superintendent, and the Director of Human Resources. A teacher with an introductory period contract may be dismissed with cause immediately, upon the approval of the principal with the concurrence of the Pastor (Rector), Superintendent, and the Director of Human Resources.

For a teacher with an introductory period contract, the school's decision to dismiss with cause or without cause or to not offer a teaching contract for the next school year shall be final unless the teacher files a grievance according to policy 3297.

### **3293 CONTRACT OFFER FOR THE NEXT SCHOOL YEAR**

If the school's enrollment, class sizes, curriculum, and available program funding is sufficient and/or if the certified employee's performance meets the requirements of his/her contract and the performance expectations of the Pastor (Rector) and principal, the certified employee may be offered a one-year contract.

The certified employee shall be advised in writing not later than April 1 of the Pastor (Rector) and principal's intent to offer or not to offer a contract for the next school year. A certified employee who has been informed by the school that he/she is offered a contract for the coming school year shall give written notice to the principal on or before April 15 to accept or not accept a contract for the coming school year. If the certified employee fails to notify the principal in writing by this deadline of his/her intent to accept or not accept a contract for the coming school year, it shall be presumed that the certified employee has declined the offer of a contract for the coming school year.

Nothing herein shall imply that cause is necessary for not offering a contract of employment because either the school or the certified employee has the right to decline an offer of a contract of employment for any



reason or no reason.

### **3294 REDUCTION OR ELIMINATION OF A CERTIFIED EMPLOYMENT POSITION**

The decision to reduce or eliminate an employment position during a contract year shall rest solely with the principal with the concurrence of the Pastor (Rector), the Superintendent, and the Director of Human Resources (See policy 3295.4). Factors that may influence the principal's decision to reduce or eliminate an employment position include but are not limited to: enrollment, class size, curriculum, and availability of program funding. This policy does not apply to a school's decision to not offer a contract for the upcoming school year (see policy 3293).

The principal shall use the following criteria in deciding which staff member shall be reduced or eliminated during a contract year. These criteria are not given in any particular order:

- A. The quality of the person's performance as related to the contribution of the person to the school's philosophy and essential academic, spiritual, community, and fiscal goals and objectives;
- B. The academic and experiential qualifications of the person that allow for academic and extracurricular assignment; and
- C. The length of full time service of the person to the school.

### **3295 DISMISSAL**

An employee may be dismissed for cause at any time during the period of the contract between DOFEC and the employee (See policy 3292 and following).

#### **3295.1 IMMEDIATE TERMINATION**

An employee may be dismissed at any time, if in view of the gravity of the particular situation, the Pastor and principal of the school, the Superintendent, and the Director of Human Resources determine that continued employment of the employee is detrimental to the school, to the students, or to the employee him/herself.

Notification of such dismissal shall be sent by certified mail by the Superintendent, to the employee, the principal, the Pastor, and the Director of Human Resources. Such notice of dismissal shall contain documentation related to the cause for dismissal.

#### **3295.2 EMPLOYEE PETITION TO RESIGN FROM CONTRACTED EMPLOYMENT**

After an employee has signed the "Acceptance of Offer" on the Diocese of Fresno Education Corporation's "Offer of Contract," both parties to the contract have a legal and professional obligation to fulfill it. A contracted employee shall not resign from employment during the term of the contract without gaining the written permission from the Diocese of Fresno Education Corporation to do so. Any employee who desires to resign from employment must petition the school's principal in writing not less than two (2) weeks prior to the desired resignation date. This petition must state why the employee believes there is sufficient reason to justify an early termination of the contract.

If the Diocese of Fresno Education Corporation grants the employee's petition, an addendum to the contract shall be given to the employee. This addendum must be signed by the employee, the school's Principal and Pastor (Rector), and the Superintendent of Catholic Education. This addendum shall state the mutually agreed last day of employment, the reason for the early termination of the contract, the date and amount of the final paycheck, and the day all other employee benefits shall cease.

An employee who violates these provisions and unilaterally abandons his/her employment contract shall be considered as demonstrating unprofessional conduct and may be formally dismissed from employment for breach of contract (see policy 3295 entitled "Dismissal"). Documentation of same will be placed in the employee's personnel file in the Office of Catholic Education and may be reported to the California Credentialing Office.

### **3295.3 CONTRACT PROCEDURES**

Decisions regarding offering or not offering a contract for the next school year, suspension, dismissal, and termination of employees shall be made as follows:

- A. For elementary school employees: the principal of the elementary school shall make the decision with the concurrence of the Pastor of the school, the Superintendent, and the Director of Human Resources.
- B. For high school employees: the principal shall make the decision with the concurrence of the Rector of the school, the Superintendent, and the Director of Human Resources;
- C. Any employee aggrieved by a decision relating to offering or not offering a contract for the next school year, termination, suspension, probation, or dismissal shall have the right to invoke the due process procedures set forth in policy 3297 of this Administrative Handbook.

### **3295.4 DETERMINATION OF EARLY TERMINATION PAY**

If a school has to close for any reason, or if a class, schedule, or program in which the teacher is teaching is terminated or consolidated, the teacher's contract ends on the actual date of the closure, termination or consolidation, and the teacher shall be entitled to no further benefits under his or her contract, except that upon early termination as described in this paragraph, the teacher shall receive one month additional compensation beyond any prorated compensation to the date of termination.

### **3296 DISCIPLINARY ACTION**

Whenever an employee has a performance or conduct problem, the school may take disciplinary action. Disciplinary actions include Oral Reprimand (see policy 3296.1), Written Reprimand (see policy 3296.2), Disciplinary Suspension (see policy 3292.3), Disciplinary Probation (see policy 3296.4), Dismissal (see policy 3295), or other actions deemed appropriate by the school at its sole discretion.

Appeal of Disciplinary Action: An employee may appeal a Disciplinary Suspension, Disciplinary Probation, or Dismissal according to the terms of the "Employee Due Process Procedure" (see policy 3297).

#### **3296.1 ORAL REPRIMAND**

An oral reprimand is a formal discussion with an employee about a performance or conduct problem. It is recommended that the principal or other administrative officer summarize the oral reprimand in writing and keep it for further reference.

#### **3296.2 WRITTEN REPRIMAND**

A written reprimand is a document presented to an employee regarding a performance or conduct problem. A copy of the reprimand shall be filled in the employee's personnel file. Within five (5) working days following receipt of the written reprimand, the employee shall be permitted to file a written response, the original being submitted to the school administrator and a copy filed in the employee's personnel file.

#### **3296.3 DISCIPLINARY SUSPENSION**

After conducting a formal investigation of the employee's performance or disciplinary problem, the school may decide to impose a Disciplinary Suspension. A Disciplinary Suspension is an involuntary absence from all employment responsibility without pay. This suspension must be presented to the employee in writing and must explain the reasons for imposing the unpaid suspension. A Disciplinary Suspension should not exceed five work days per school year.

#### **3296.4 DISCIPLINARY PROBATION**

An employee may be placed on disciplinary probation for not meeting the performance standards or expectations of either the diocese or the school. To place an employee on disciplinary probation, the school shall complete the following procedures:

- A. Before disciplinary probation is given, a conference with the employee and the principal shall be held.
- B. After the conference and if disciplinary probation is judged necessary by the principal who has obtained

the concurrence of the Pastor (Rector) of the school and the Superintendent, the employee shall be informed in writing of the reason for the disciplinary probation status, the length of the probation period, and the conditions under which the probation will be lifted.

- C. While on disciplinary probation, the employee's supervisor will provide the employee on-going performance review and guidance.
- D. A written record of the employee's disciplinary probation shall be kept for reference should more serious employment actions become necessary.

### **3296.5 PAID ADMINISTRATIVE LEAVE**

When an employee is charged with or accused of committing an act that is unprofessional, immoral, illegal, contrary to diocesan educational policy, or at variance with Catholic doctrine or the moral precepts of the Catholic Church which, if true, would warrant Disciplinary Suspension, Probation, or Dismissal, the school administrator and pastor (rector) may immediately place the employee on "Paid Administrative Leave" pending the conclusion of the investigation and the resolution of the charge to the satisfaction of the school administrator and pastor (rector).

### **3297 EMPLOYEE DUE PROCESS PROCEDURE**

A. **PURPOSE:** The purpose of this procedure is to secure, a just and equitable resolution of all employee grievances. All parties involved in a grievance are expected to manifest good faith in their efforts to resolve disputes by maintaining an atmosphere of mutual understanding, confidentiality, and Christian charity.

B. **DEFINITIONS:**

- 1. **Employee:** An Employee is any person on the payroll of a Catholic school operated by the Diocese of Fresno Education Corporation.
- 2. **Grievance:** A grievance is defined as a claim by an Employee alleging action by the school in violation of:
  - a. A published diocesan or local school policy or procedure;
  - b. The written terms and conditions of the employment agreement; and/or
  - c. Provisions of federal, state, and/or local law that are applicable to Catholic schools.

A grievance shall not be a question regarding an interpretation whether the lifestyle, personal time activity, or professional conduct of the Employee is at variance with Catholic doctrine or the moral precepts of the Catholic Church. All parties agree that the interpretation whether the lifestyle, personal time activities, or professional conduct of the Employee is at variance with Catholic doctrine or the moral precepts of the Catholic Church shall be determined solely and finally by the Bishop of the Diocese of Fresno and his authorized delegates.

- 3. **Respondent:** The Respondent is the authorized representative(s) of the school.
- 4. **Superintendent:** The Superintendent is the diocesan Superintendent of Catholic Schools. The Superintendent may authorize a delegate to fulfill all or part of the duties assigned to the Superintendent throughout the due process procedure.
- 5. **Day:** A day shall be deemed Monday through Friday excluding federal postal holidays.
- 6. **Time Limits and Withdrawal of Grievance:** Failure by the Employee to comply with the time limits set forth in this due process procedure and/or failure to comply with the other terms of this due process procedure shall result in the grievance being deemed permanently withdrawn and having been settled on the basis of the last response given by the Respondent. The time limits and other provisions of the grievance procedure may be extended or altered by mutual written agreement of the Employee, Respondent, and Superintendent. A grievance not answered by the Respondent within the time limit of the appropriate level may be advanced to the next higher level by the Employee.
- 7. **Due Process Procedure (Grievance Procedure):** This procedure is the sole and exclusive final remedy to any and all grievances arising out of or related to employment.

C. **GRIEVANCE LEVELS:** An Employee having a grievance as defined above shall present the grievance as follows:

**Level One:** When an Employee knows or suspects that a grievance exists, the Employee shall confidentially:

1. Meet with the appropriate school Respondent;
2. Declare that he/she is presenting a grievance according to policy 3297;
3. Describe the incident that caused the grievance;
4. Identify what policy, procedure, employment agreement, or law was violated;
5. Describe how this grievance can be best resolved; and
6. Attempt to mutually resolve the grievance.

Within five (5) days after the oral presentation of the grievance, the Respondent shall orally respond to the Employee.

**Level Two:** If a mutually agreeable resolution to the grievance is not achieved at Level One, the Employee shall have five (5) days from the oral response of the Respondent or five (5) days from when the oral response from the Respondent was due to submit a written appeal to the Respondent and the school's Pastor (Rector for diocesan high schools). This written appeal shall be submitted using the "Diocese of Fresno, Grievance Petition" form. Within five (5) days after receiving the "Grievance Petition" form, the Respondent and Pastor/Rector shall provide the Employee a written response.

**Level Three:** If a mutually agreeable resolution to the grievance is not achieved at Level Two, the Employee shall have ten (10) days from receipt of the written response of the Respondent and Pastor/Rector or within ten (10) days from the date the written response was to be provided to submit a written appeal to the Superintendent. This written appeal shall be mailed by registered mail to the Superintendent and shall include the following:

1. The dates all appropriate levels were satisfied;
2. The facts giving rise to the grievance in Level One;
3. The "Grievance Petition" form and, if applicable, the response provided by the Respondent and Pastor/Rector at Level Two;
4. The specific policy, procedure, agreement, or law alleged to have been violated;
5. Any relevant supporting documentation; and
6. The resolution desired.

Within ten (10) days after the Superintendent is in receipt of the written appeal that meets the criteria contained in this due process procedure, he/she shall:

1. Notify the Employee and the Respondent that a Level Three Grievance Procedure has been initiated;
2. Request that the Employee and/or Respondent submit to the Superintendent a written response to issues raised in the written appeal.
3. Appoint an impartial three (3) member Diocesan Reconciliation Committee whose responsibility shall be to:
  - a. Conduct a hearing to determine whether the actions of the Respondent or Employee are in accordance with diocesan or local school policy and procedures, the employment agreement, and/or federal, state, and local law; and
  - b. Make a written recommendation to the Superintendent on how to resolve the grievance.

The rules for conducting a Diocesan Reconciliation Committee hearing are available upon request from the Superintendent. Within ten (10) days from the date the Diocesan Reconciliation Committee hearing has been concluded, the Superintendent shall mail his/her written decision to all parties.

**Level Four:** If either party is dissatisfied with the Superintendent's decision at Level Three of the due process procedure, the Employee or Respondent shall institute final and binding arbitration as described in policy 3298. Any request for binding arbitration must be made in writing within ten (10) days after the decision reached at Level Three of the due process procedure is received by the Employee or Respondent.

### **3298 BINDING ARBITRATION**

After completing Level Three of the diocesan due process procedure (see Policy 3297), the final exclusive remedy for any dispute arising out of the employment relationship between the Diocese and the Employee shall be this arbitration agreement, to the extent permitted by law. All such disputes shall be submitted to arbitration pursuant to the provisions of the Federal Arbitration Act (9 U.S.C. Section 1 and following), if applicable, or the provisions of Title 9 of Part III of the California Code of Civil Procedure beginning at Section 1280, or later successor or replacement statutes.

Disputes arising out of the employment relationship shall include all events occurring between the Diocese and the Employee during the employment relationship, including the termination of the employment relationship for any reason. The Diocese and Employee waive the right to a jury trial on these issues.

This arbitration provision shall apply whether the dispute involves a cause of action in contract or in tort or is based on any other legal theory or statute, including, but not limited to the California Fair Employment and Housing Act, Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Family and Medical Leave Act or any other federal, state or local act or statute.

The only disputes between Diocese and Employee that shall not be subject to final and binding arbitration are claims and disputes under the California workers' compensation laws and the Uniform Trade Secrets Act.

The arbitration shall be conducted pursuant to the Employment Dispute Resolution Rules and Regulations of the American Arbitration Association. Any request for arbitration must be made in writing within ten (10) days after the Employee and Respondent receives the decision reached at Level Three of the due process procedure.

Either the Diocese or the Employee may bring an action in court to compel arbitration under this arbitration provision and to enforce an arbitration award. Otherwise, neither party shall initiate or prosecute any lawsuit or administrative action in any way related to any dispute subject to arbitration.

The Diocese and Employee shall be entitled to discovery sufficient to adequately arbitrate their claim, including access to essential documents and witnesses, as determined by the arbitrator(s) and subject to limited judicial review pursuant to California Code of Civil Procedure section 1286.2. The arbitrator shall apply the substantive law (and the law of remedies, if applicable) of California, or federal law, or both, as applicable to the claim or claims asserted. The arbitrator shall issue a written decision that will provide the essential findings and conclusions on which any award is based. The arbitration shall be final and binding upon all the parties and shall be enforceable to the extent permitted by law. Unless the arbitrator orders otherwise, each party shall be responsible for compensating their attorneys and witnesses and bearing any other costs incurred by them.

The Diocese shall be responsible for the cost of the arbitration, hearing room and official transcript.

<b>3300 CLASSIFIED/NON-EXEMPT PERSONNEL</b>
---

### **3310 CLASSIFIED PERSONNEL POLICIES**

The "Diocese of Fresno Classified Personnel Manual for Catholic Schools" (hereafter, CPM) as approved by the Bishop of the Diocese of Fresno contains the personnel policies for classified employees working in diocesan Catholic schools.

### **3311 PERSONNEL DOCUMENTS RETAINED FOR CLASSIFIED PERSONNEL**

As a condition of employment, the following classified employee's personnel documents shall be retained by

the school with these documents kept in the employee's personnel file unless indicated below:

A. Pre-employment Documents:

1. The employee's application, references, forms, and/or other application documents (not released to employee);
2. I-9 "Employment Eligibility Verification" (school file);
3. Proof of freedom from TB (renewed every 4 years – medical file);
4. Written notification from the Diocesan Fingerprint Clerk that the applicant's fingerprints have been successfully processed and cleared (See policies 3720 and following – school or personnel file); and
5. Signed Safe Environment "Code of Conduct" (school or personnel file);

B. Employment Documents:

1. All job offer letters or letters of assignment or employment;
2. An annually signed copy of the "Employee Responsibility Form" regarding child abuse reporting, harassment, and school safety;
3. Current Safe Environment training "Certificate of Completion" (due before 60 days of hire – school or personnel file);
4. Performance evaluations conducted at the school;
5. School generated letters of recommendation with accompanying "Release Authorization Form";
6. Records of absences, tardiness, personal days, leaves, safety, paid holidays, and vacations etc. (school or personnel file);
7. Health, injury, worker compensation, and other medical information (medical file);
8. Correspondence and records of a disciplinary nature; and
9. Any other documents as determined by the school administrator.

---

## **3320 EMPLOYMENT QUALIFICATIONS**

### **3321 FAITH COMMITMENT**

The effective Catholic school classified employee witnesses support of Catholic Gospel values and tradition.

### **3322 FINGERPRINT CLEARANCE**

Before beginning work, classified employees must obtain fingerprint clearance as required by policies 3720, 3721, and 3722.

### **3323 SAFE ENVIRONMENT CODE OF CONDUCT**

Before beginning work, classified employees must review and sign the Diocese of Fresno Safe Environment "Code of Conduct." Within 60 days of starting work, all employees must complete the two-hour Basic Safe Environment Training Course approved by the Diocese and obtain a "Certificate of Completion."

---

## **3330 EMPLOYEE RESPONSIBILITIES**

### **3331 REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT**

As a condition of employment, classified school employees will comply with the suspected child abuse reporting laws of the state of California (see PGB and Section 11166 of the California Penal Code). Any school employee 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 or neglect shall report immediately (or as soon as practically possible) by telephone the known or suspected instance of child abuse or neglect to a child protective agency. The employee shall also prepare and send a written report on DOJ form SS-8572 to the child protective agency within thirty-six (36) hours of receiving the information concerning the incident (See policy 4710 and CPM policy 410).

The employee shall report suspected child abuse or neglect to the school principal or delegate. If possible,

the employee shall make the required telephone report with the principal and complete the mandatory written report with the principal.

School employees shall annually sign the "Diocese of Fresno Annual Employee Responsibility Form" certifying that they understand their responsibility to report suspected child abuse or neglect and that they will comply with this policy.

### **3332 SAFE ENVIRONMENT TRAINING FOR CLASSIFIED PERSONNEL**

After gaining the "Certificate of Completion" for the Basic Safe Environment Training Course, classified employees must renew their Safe Environment training during each diocesan renewal training cycle.

### **3333 SECRETARY/BOOKKEEPER**

The school secretary is responsible to the principal for the efficient operation of the school office and for the performance of all secretarial, clerical, and receptionist duties related to the principal's office.

The school secretary must keep confidential school, teacher, and student information unless authorized to release this information by the Pastor or principal.

A school secretary must be on duty throughout the full school day. In his/her absence an authorized person must be on duty. Both should be thoroughly briefed regarding all emergency procedures. The principal shall explain the professional ethics governing any information acquired by serving in a secretarial capacity.

The school bookkeeper is responsible to the principal for the efficient and accurate keeping of financial records; expenditures, tuition receipts, and diocesan reports.

### **3334 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.

### **3335 TEACHER AIDE**

Teacher aides assist teachers by the performance of duties so that teachers may channel their professional energies into pupil diagnosis, prescription, and presentation of new material.

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

A teacher aide shall be under the immediate supervision and direction of the principal, assistant principal, and/or a classroom teacher.

### **3336 COACH**

It is the responsibility of the coach to assist in the players' development of Christ-like attitudes and social values as well as the fundamental skills of particular sports. Compliance with local guidelines and regulations is required if professionalism is to be maintained.

### **3337 FOOD SERVICE WORKER**

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 policy 3254 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.

### **3338 NURSE**

The school nurse and/or health chairperson works under the supervision of the principal. He/she should be instructed in the necessity of confidentiality of all health records.

### **3339 BUS DRIVER**

A bus driver shall hold a valid driver's license and a school bus driver's certificate issued by the Department of Motor Vehicles. He/she shall be fingerprinted in accord with state guidelines. The principal shall explain diocesan school policy/procedure and evaluate performance on a regular basis (See policy 6610 and following).

### **3340 SUPERVISION AND EVALUATION**

The supervision and evaluation of service rendered by non-teaching personnel is the responsibility of the principal. This evaluation should be based upon meeting the criteria outlined in the job descriptions for those positions. Some of this responsibility may be delegated to other employees, e.g., assistant principal, head custodians, grade or level chairpersons assigned to work with teacher aides.

### **3341 RENEWAL/TERMINATION OF EMPLOYMENT**

Decisions concerning termination or re-employment for non-teaching personnel are the responsibility of the principal after appropriate consultation with the Pastor, the Superintendent, and the Director of Human Resources.

<b>3400 VOLUNTEER PERSONNEL</b>
---------------------------------

### **3410 VOLUNTEER POLICIES**

The president and/or principal or his/her designee is responsible for the recruitment, selection, orientation, in-service, and supervision of all school volunteers. The service of a volunteer may be discontinued at any time as determined only by the president or principal who will notify the Pastor (Rector). The orientation of all volunteers shall include a review of the school's Safe Environment program and its safety rules and procedures.

Volunteers whose work assignment brings them into contact with students (e.g. classroom aide, sports and extracurricular activity coordinator or assistant, office assistant, lunch room, playground, or traffic safety supervisor, etc.) shall be fingerprint cleared as required by policy 3725 and periodically monitored by a school employee.

### **3420 PERSONNEL DOCUMENTS REQUIRED FOR VOLUNTEERS**

As a condition for school volunteer status, the following volunteer personnel documents shall be retained by the school:

- A. Basic information and data on the volunteer (e.g. parent school registration information, an application form, or resume);
- B. For those volunteers required to be fingerprint cleared by policy 3725, written notification from the Diocesan Fingerprint Clerk that the volunteer's fingerprints have been successfully processed and cleared;
- C. Signed Safe Environment "Code of Conduct" and within 60 days of beginning service current Safe Environment training "Certificate of Completion";
- D. School generated letters of recommendation with accompanying "Release Authorization Form" (See



- policy 3245);
- E. Health, injury, and other medical information related to a volunteer's service to the school;
- F. Correspondence and records of a disciplinary nature; and
- G. Any other documents as determined by the school administrator.

## **3430 VOLUNTEER REQUIREMENTS**

---

### **3431 FINGERPRINT CLEARANCE**

Before beginning volunteer services, those volunteers that are mandated to be fingerprint cleared by policy 3725 must obtain fingerprint clearance.

### **3432 SAFE ENVIRONMENT CODE OF CONDUCT**

Before beginning volunteer service, school volunteers, except those volunteers who are identified as having no student contact, must review and sign the Diocese of Fresno Safe Environment "Code of Conduct." Within 60 days of starting volunteer services, these volunteers must complete the two-hour Basic Safe Environment Training Course approved by the Diocese and obtain a "Certificate of Completion."

### **3433 SAFE ENVIRONMENT TRAINING FOR SCHOOL VOLUNTEERS**

After gaining the "Certificate of Completion" for the Basic Safe Environment Training Course, all school volunteers, except those volunteers who are identified as having no student contact, must renew their Safe Environment training during each diocesan renewal training cycle.

<b>3500 EMPLOYEE COMPENSATION AND RELATED BENEFITS</b>
--

---

## **3510 COMPENSATION**

---

### **3511 RELIGIOUS PERSONNEL**

The stipends and fringe benefits for religious personnel acting in administrative, teaching or other capacities in parochial or diocesan schools will be set by the Bishop of the Diocese of Fresno in consultation with the California Catholic Conference of Bishops.

For the purpose of residence, remuneration, and insurance, all religious school personnel will be considered as employed by the parish on the first day of September of the year in which they are assigned. Normally the assignment will be considered as continuing for twelve months, in spite of the fact that the religious may actually be absent from the school for part of the summer.

### **3512 FULL-TIME LAY TEACHERS**

Teachers shall be paid the salaries approved by the Diocese (for elementary teachers, see the "Lay Elementary Teachers Salary Program and Procedures" in the PGB). Teachers may receive additional compensation for specifically identified school responsibilities other than teaching.

### **3513 PART-TIME LAY TEACHERS**

Part-time teachers who are under contract, but work less than a full daily or weekly schedule, shall be paid on the basis of the number of hours a day they teach. For part-time elementary teachers to qualify for the annual salary level increment, the teacher is required to serve as a teacher in the Diocese of Fresno for at least the equivalency of 75% of a full-time, full year contract. See also "Lay Elementary Teachers Salary Program and Procedures" in the PGB.

### **3514 SUBSTITUTE TEACHERS**

Each school shall determine whether it shall adopt the recommended diocesan salary scale for substitute teachers (See PGB).

## **3520 BENEFITS AND ELIGIBILITY**

---

### **3521 CONTRACTED EMPLOYEE BENEFITS**

If an exempt contracted employee is normally scheduled to work a minimum of 30 hours per week on campus on a regular basis during the school year, this contracted employee shall be eligible for benefits and pension. Under the diocesan health plan, all contracted school employees are Class 5. A Class 5 employee is an actively working full-time President, Principal, Vice Principal, Administrator, or Teacher. Benefits begin the first day of the contract year as defined in the written contract document. There is no waiting period.

#### Non-Contracted Employee Benefits

A. For Non-Contracted Teachers (non-exempt), see section 604, entitled "Employee Benefits Include..." in the *Non-Contracted Teacher Manual*.

For all other school classified personnel, see section 600, entitled "Employee Benefits," in the *Classified Personnel Manual*.

#### **3521.1 HEALTH INSURANCE BENEFIT**

Basic Insurance Coverage: Full-time school employees who qualify for health insurance as determined by the provisions of the diocesan plan may elect single only medical, vision, and dental insurance coverage at no charge to the employee. Employees who elect employee and spouse, or family medical, vision and dental insurance coverage will pay a diocesan determined cost on a pre-tax basis.

Premium Insurance Coverage: Full-time school employees who qualify for health insurance as determined by the provisions of the diocesan plan may elect single, employee and spouse, or family medical, vision, and dental insurance coverage at a diocesan determined cost to the employee on a pre-tax basis.

Employee Cost: While benefited employees will be responsible for a portion of the cost of their coverage on a pre-tax basis as determined by the Diocese, no employee shall be requested to pay any additional amount to the school for any portion of the school's allocated costs.

#### **3521.2 RETIREMENT BENEFIT**

Full-time school employees who qualify for the retirement program as determined by the provisions of the diocesan plan shall be enrolled in the program.

#### **3521.3 SOCIAL SECURITY BENEFIT**

All school employees shall participate in the federal social security program. Both the employer and employee shall contribute to the program as required by law.

#### **3521.4 LIFE INSURANCE BENEFIT**

Full-time school employees who qualify for life insurance as determined by the provisions of the diocesan plan shall be offered life insurance.

#### **3521.5 DISABILITY INSURANCE BENEFIT**

Full-time school employees who qualify for long-term disability insurance plan as determined by the

provisions of the diocesan plan shall be provided long-term disability insurance. Elementary school employees may elect to “buy up” or enhance the benefit formula for long-term disability insurance coverage as determined by the provisions of the diocesan plan by completing a registration form and authorize a payroll deduction. Secondary school employees already receive the maximum coverage available.

Full-time school employees are eligible to participate in the voluntary short-term disability insurance plan as determined by the provisions of the diocesan plan. Employees electing to participate in the diocesan voluntary short-term disability insurance plan must complete a registration form and authorize a payroll deduction.

### **3521.6 WORKER'S COMPENSATION BENEFIT**

All school employees shall participate in the Worker's Compensation program.

### **3521.7 CONTINUATION OF HEALTH INSURANCE AFTER EMPLOYMENT ENDS**

In consideration for the well being of its full-time employees whose employment has ended and their covered dependents, the Diocese of Fresno voluntarily provides its former full-time employees an opportunity to purchase and participate in a limited continuation of health, dental, and vision coverage in force at the time of the employee's departure from employment. The employee shall be responsible for the full cost of the premium plus any administrative fees associated with the continuation coverage plan. Continuation insurance is available for a limited period of time as determined by the provisions of the plan.

The employee is responsible to notify the Diocesan DiRector of Human Resources of any qualifying events if continuation of coverage is to be initiated.

### **3522 PART-TIME EMPLOYEE BENEFITS**

For certificated personnel at diocesan elementary schools, if an employee is scheduled to work less than 30 hours per week on a regular basis, this employee is considered for the basis of benefits to be working part-time. For certificated personnel at diocesan secondary schools, if an employee is scheduled to work less than 24 hours per week on a regular basis, this employee is considered for the basis of benefits to be working part-time.

For classified personnel, see section 600, entitled “Employee Benefits,” in the CPM.

Part-time employees are not eligible for diocesan benefits except the pension plan and those benefits required by law (e.g. Social Security and Worker's Compensation).

### **3523 TEMPORARY EMPLOYEES BENEFITS**

A temporary employee is an employee hired either full-time or part-time for a specified limited period of time (e.g., to fill in for a sick employee, an employee on leave, to perform a specific short-term task, or to assist in heavy workload situations). Temporary employees are not eligible for diocesan employee benefits or pension except those benefits as required by law.

### **3524 BENEFITS NOT PROVIDED**

The Diocese of Fresno is exempt from and does not participate in certain benefit programs including but not limited to the following: State Unemployment Insurance, COBRA (see policy 3521.7), California State Disability Insurance (SDI) and California Paid Family Temporary Disability Leave Insurance (FTDI).

## **3600 LEAVES AND ABSENCES**

### **3610 NOTIFICATION OF ABSENCE**

There may be legitimate reasons for an employee's absence from work or being late for work. All school employees should protect their employment record by avoiding absences except in the case of strong or compelling reasons which are defined as real, substantial, or reasonable circumstances beyond the control of the employee.

All school employees who must be absent from work shall:

- A. As early as possible, promptly and directly notify the principal or designated delegate before the absence or as soon as possible, thereafter;
- B. Estimate the amount of time he/she shall be absent from work for the principal or designated delegate;
- C. Preferably before the absence or as soon as possible, meet with the principal to discuss the reason for this absence and seek the principal's permission for the absence; and
- D. Notify the principal or designated delegate every day of absence unless the principal approves other arrangements.

If the employee fails to report for his/her scheduled assignment without compelling reasons as determined by the principal, the employee shall be subject to disciplinary action including discharge.

If any employee fails to report to work or notify the principal about an absence for a period of three (3) working days, the school shall assume that the employee has abandoned the job and resigned his/her position.

The principal must keep accurate records of absences.

### **3611 FAMILY/SCHOOL PAID OR UNPAID LEAVE**

State law specifies that parents, grandparents having custody, and guardians shall be allowed to take up to 40 hours a school year of time off from work to participate in their children's activities at any Kindergarten through 12th grade school. This leave shall not exceed more than eight (8) hours per calendar month. A minimum of seven (7) calendar days of advanced notice is required. Employees shall first utilize accrued personal leave (policy 3622), vacation time, compensatory time, or unpaid time off. The principal may request written documentation of attendance.

### **3615 ABSENCE OF PRINCIPAL**

If the principal must be absent from work, he/she shall promptly and directly notify the school's Pastor (Rector) or, in his absence, the Superintendent of Catholic Schools.

In the case of a principal's absence, the rights and responsibilities reserved to the principal in diocesan policies 3610 through 3640 are transferred to the school's Pastor (Rector) in consultation with the Superintendent of Catholic Schools.

## **3620 PAID LEAVES**

### **3621 PAID LEAVE FOR ILLNESS OR INJURY**

Use of Accrued Paid Leave for Illness, Injury, or Medical Care: The employee may use all or a portion of his or her accrued paid leave during the school year for:

- A. The personal illness, injury, or medical care of the employee;
- B. The birth of a child and to care for a new child; and
- C. The personal illness, injury, or medical care of a spouse, son, daughter, parent of the employee.

**Definitions:**

- A. "Spouse" means a husband or wife as defined or recognized under State law for purposes of marriage in the State where the employee resides.
- B. "Parent" means a biological parent or an individual who stands or stood in loco parentis to an employee when the employee was a son or daughter as defined in (c) below. This term does not include parents "in law".
- C. "Child, son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability."

**Accrual of Paid Leave for Illness, Injury, or Medical Care:** Full-time employees shall accrue leave for illness, injury, or medical care with full pay at the rate of one (1) day per month to a maximum of ten (10) days during the school year. Each employee may accrue up to 30 days of paid leave; however, once an employee has earned 30 days of accrued leave, the employee will accrue no additional paid leave until he/she used some of the accrued leave. Accumulated leave for illness, injury, or medical care shall be transferred if an employee moves from one Catholic school to another Catholic school in the Diocese of Fresno. Since this paid leave is established to ensure an employee's income during illness, injury, or medical care, no payment of unused paid leave for illness or injury shall be given upon termination of employment.

**Part-time Employee Accrual:** Part-time employees who are eligible for employee benefits (See policies 3521 and 600 in the CPM) shall earn a proportionate share of paid leave for illness, injury, or medical care. For example, a teacher working four days a week earns 4/5 of a day of paid leave for every month of employment. Temporary employees are not entitled to paid leave for illness, injury, or medical care (See policy 3523).

**Insufficient Accrued Paid Leave:** In cases of major illness, injury, or medical care necessitating hospitalization, therapy, and/or convalescence beyond an employee's total days of accrued paid leave for illness, injury, or medical care, see policies 3631 and 3632.

### **3621.1 CERTIFICATION OF ILLNESS, INJURY, OR MEDICAL CARE**

The principal may require from the employee medical certification by a licensed health care provider verifying the illness, injury, or medical care. See policy 3640 concerning medical certification necessary to return to work after an extended leave for illness, injury, or medical care.

### **3622 PAID PERSONAL LEAVE**

An employee may use all or a portion of his/her accrued Paid Personal Leave during the school year for personal reasons. Employees seeking to use their accrued Paid Personal Leave shall present to the principal a written request at least five days before the proposed leave. The principal may accept or deny the request at his/her sole discretion based on the staffing needs of the school. In case of an emergency, the principal may also waive the requirement for an advanced request.

**Accrual Procedures:**

- A. When an employee has accrued Paid Personal Leave up to the maximum annual accrual cap (see below), no additional Paid Personal Leave will be accrued until the employee has used and reduced his/her accrued Paid Personal Leave to under the annual accrual cap.
- B. Full-time employees, who have worked less than ten consecutive years at the same Catholic school in the Diocese of Fresno, shall accrue two (2) days of Paid Personal Leave each academic year up to a maximum annual accrual cap of three (3) days.
- C. Full-time employees, who have worked ten or more consecutive years at the same Catholic school in the Diocese of Fresno, shall accrue three (3) days of Paid Personal Leave each academic year up to a maximum annual accrual cap of four (4) days.
- D. Part-time employees who are eligible for employee health benefits (see policies 3521 and 600 in the CPM) shall earn a proportionate share of Paid Personal Leave up to a maximum annual accrual cap of two (2) days. Temporary employees are not entitled to Paid Personal Leave (See policy 3523).

Payment of unused, accrued Paid Personal Leave shall be made upon termination of employment at the employee's regular salary rate at the time of termination.

### **3623 PAID LEAVE FOR BEREAVEMENT**

Every full-time employee is entitled to a paid leave of absence, not to exceed three (3) days because of the death of any member of his/her immediate family. For this policy, "immediate family" is defined as an employee's spouse, children, mother, father, brothers, or sisters.

Bereavement leave shall not affect the number of sick leave or personal leave days accrued by employees.

### **3624 PAID LEAVE FOR JURY DUTY**

The school shall grant up to five (5) days per year of paid leave of absence to any employee called to serve on jury duty. The employee is required to submit a written request for an approved absence as soon as the summons is received. This paid leave shall be granted with pay up to the amount of the difference between the employee's regular earnings and any amount received for jury duty excluding travel reimbursement.

### **3625 WITNESS DUTY**

An employee who is required by law to appear in court as a witness may take accrued paid personal time off (see policy 3532) or unpaid time off for such purposes provided he/she gives the Principal reasonable advance notice in writing.

If the reason to appear in court is job-related, the school shall pay the time off spent in court. In this case, the employee shall pay over to the school any compensation awarded by the court.

## **3630 UNPAID LEAVES**

---

### **3631 UNPAID LEAVE FOR EMPLOYEE ILLNESS OR INJURY**

Employees unable to work because of illness or injury, after having availed themselves of all accumulated paid sick leave, vacation days (if applicable), and F.M.L.A. leave (see policy 3632), may request in writing an unpaid medical leave of absence up to a period of thirty (30) calendar days within a school or contract year. Medical certification by a licensed health care provider must be submitted with the request for unpaid medical leave. Unpaid medical leave shall only be granted upon the written approval of the principal in consultation with the school's Pastor and the Superintendent of Catholic Schools. Unpaid medical leave shall not be granted beyond the end of a school or contract year.

Unpaid medical leave does not guarantee reemployment at the same or comparable position. See policy 3640 concerning medical certification necessary to return to work after medical leave. Employment will end if the employee fails to return to work at the end of the unpaid medical leave.

If the employee is unable to return to work at the end of the initial unpaid medical leave, the employee may request in writing an additional unpaid medical leave up to a period of thirty (30) calendar days within the same school or contract year. Updated medical certification by a licensed health care provider must be provided with the request. Any extension of unpaid medical leave shall only be approved by the principal in consultation with the school's Pastor and the Superintendent of Catholic Schools.

Employees granted an unpaid medical leave are entitled to participate in the diocesan benefit plans during the period of this leave, except that (1) the employee shall not accrue any paid sick leave or vacation days during the unpaid medical leave and (2) in order to continue health benefit coverage after 90 days of unpaid medical leave, the employee, if eligible, must elect Continuation Coverage within 30 days of the Continuation Coverage notice date. The cost of Continuation coverage is 100% of the premium cost plus an administrative fee.

### **3632 UNPAID LEAVE AS PROVIDED BY LAW**

Federal and state law specifies that certain "eligible" employees shall be granted up to 12 weeks of unpaid, job-protected leave for certain family and medical reasons. Reasons for taking this unpaid leave are:

- A. To care for the employee's child after birth, or placement for adoption or foster care;
- B. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition (as defined under the law); or
- C. For a serious health condition that makes the employee unable to perform the employee's job.

Employees who are disabled because of pregnancy, childbirth, or related medical conditions, if otherwise eligible, are entitled to take an unpaid leave up to four months.

All employees who desire such leave should request it in writing using the "Application Form for Unpaid Leave" available from the Office of Catholic Education. If possible, the employee shall provide at least 30 days advance notice when this leave is "foreseeable." For those employees seeking this leave for medical reasons for themselves, spouse, parent, or child, medical certification by a licensed health care provider is required.

This unpaid leave shall be granted in writing after review by the principal in consultation with the school's Pastor and the Superintendent of Catholic Schools to ensure eligibility for the unpaid leave and agreement by the employee to any conditions which may apply. Employees granted this leave are entitled to participate in the diocesan benefit plans during the period of this leave.

At the end of this leave within a contract year, the employee shall be restored to his/her original or equivalent position. See policy 3640 concerning medical certification (that the employee is able to work) necessary to return to work after a leave based on the employee's medical disability.

### **3633 GENERAL UNPAID LEAVES OF ABSENCE**

General Unpaid Leaves of Absence may be granted without pay, subject to the written approval of the principal in consultation with the school's Pastor and the Superintendent of Catholic Schools. Requests for such leaves may be made by full-time, non-introductory personnel only. Such requests are to be submitted in writing and, if approved, shall not be granted beyond the length of a school year nor employment contract. Participation in diocesan benefit plans is suspended during the period of such leave. A General Unpaid Leave of Absence does not guarantee reemployment.

### **3634 EMPLOYEE REIMBURSEMENT**

For an employee's absence from work not covered by paid time off, other than those paid and unpaid leaves mentioned above, the employee shall reimburse the school upon termination of employment.

### **3640 MEDICAL CERTIFICATION OF FITNESS TO RETURN TO WORK**

If an employee is absent because of personal illness or injury for more than ten (10) working days, the principal shall request from the employee written notification from the employee's licensed health care provider stating that the employee is able to perform all the normal duties of the employee's position upon return.

<b>3700 MISCELLANEOUS</b>
---------------------------

### **3710 HARASSMENT**

The Diocese of Fresno is committed to creating a school environment that fosters inclusion and is free from illegal harassment. The Catholic schools and licensed preschools of the Diocese of Fresno do not tolerate verbal, physical, visual, or electronic conduct that unlawfully harasses another employee, volunteer, or student. Illegal harassment may occur between employees, between employees and volunteers and/or

students, between volunteers, between volunteers and students, or between students.

**Discrimination:** The Diocese prohibits unlawful harassment because of race, religious creed, color, national origin, ancestry, physical handicap, mental condition, marital status, age, or any other basis protected under federal, state, or local law (See policies 3211 and 4110).

**Sexual Harassment:** The Diocese specifically prohibits unlawful sexual harassment. Types of conduct which may constitute unlawful sexual harassment include, but are not limited to unwelcome sexual advances, requests for sexual favors, harassment due to sexual orientation, and/or other verbal, physical, or visual conduct of a sexual nature when any or all of the following occurs:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment, advancement, or participation in programs or activities;
- B. Submission to or rejection of such conduct by an employee, volunteer, or student is used as the basis for decisions affecting the employee, volunteer, or student;
- C. Such conduct has the purpose or effect of unreasonably interfering with an employee, volunteer, or student's performance or creating what a reasonable person would consider an intimidating, hostile, or offensive working or learning environment.

Sexual harassment that involves a child may fall into the category of child abuse (see policy 4710 and PGB).

Violation of this policy will result in disciplinary action, up to and including the discharge or expulsion of the harassing person. Disciplinary action will also be taken against administrators and/or supervisors who are aware of harassment and fail to act to prevent or remedy this situation (see policy 3295ff).

### **3711 HARASSMENT PROCEDURES**

#### **A. Notification Of Suspected Illegal Harassment**

1. Any employee or volunteer who experiences or observes harassing behavior should:
  - a. When possible, confront the harasser and ask him/her to stop. The harasser may not realize that his/her behaviors are offensive. Sometimes a simple confrontation will end the situation.
  - b. Advise a school site supervisor, file an oral and written complaint or grievance with the school administrator, file an oral and written complaint with the Superintendent of Catholic Schools, or any combination of the above. Employees or volunteers should report observed harassment even though they were not the subject of the harassment.
2. Any student who experiences or observes harassing behavior should contact any school administrator, teacher, or counselor.

#### **B. School Response**

1. Upon receipt of a notification of suspected illegal harassment, the school administrator shall either promptly, thoroughly, and confidentially investigate the complaint and submit documentation of his/her investigation to the Superintendent of Catholic Schools or direct the complaint to the Superintendent for his/her response. The school administrator shall carefully follow the "Response Actions" listed below.
2. If the notification of suspected illegal harassment is directed towards the actions of the school administrator, the complaint shall be directed to the Superintendent.

#### **C. Diocesan Response**

Upon receipt of a notification of suspected illegal harassment, the Superintendent shall either promptly, thoroughly, and confidentially investigate the complaint and submit documentation of his/her investigation to the Vicar General of the Diocese of Fresno or direct the complaint to the Diocesan Sensitive Claim Team for its response.

#### **D. Response Actions**

All allegations of harassment shall be taken seriously and promptly investigated. If child abuse is suspected, the reporting requirements of state law shall be followed (see policy 4710 and PGB).

The local or diocesan investigating agent upon receiving notification of suspected illegal harassment shall take the following steps:



1. The investigating agent shall confer with the complainant in order to obtain a clear understanding of the complaint.
2. The complainant alleging harassment shall be asked to complete a formal, written complaint by the investigating agent.
3. The claim shall be investigated thoroughly by the investigating agent. The investigating agent shall meet with any person reasonably believed to have relevant knowledge concerning the complaint.
4. Confidentiality shall be maintained as much as possible.
5. The investigating agent shall meet with the charged party in order to obtain a response to the complaint.
6. The charged party shall be directed:
  - a. Not to communicate with the complainant with regard to any of the charges;
  - b. Not to associate with the complainant at any time without supervision until the complaint is resolved; and
  - c. Not to take any actions that may be interpreted to be retaliation.
7. If deemed appropriate, the investigating agent may suspend or place on administrative leave the alleged harasser during the course of the investigation in accordance with policies 3296ff.
8. During investigations of sexual harassment, at the request of any person interviewed, an adult of the same gender shall be present and conduct the interview.
9. Giving due and reasonable consideration of all factual information and the circumstances (including the nature of the complaint and the context in which the alleged conduct occurred), the investigating agent may:
  - a. Attempt to resolve the matter informally through conciliation;
  - b. Impose any disciplinary action deemed appropriate, up to and including termination of employment or volunteer service, or expulsion in accordance with policies 3295ff and 4900ff.
10. If harassment occurred, the investigating agent shall:
  - a. Take reasonable steps to protect the complainant and others from retaliation or further harassment;
  - b. Notify the complainant or, in the case of the harassment of a minor student, the parent or guardian of the minor student that disciplinary action has been imposed.

**E. Dissemination of Policy**

These harassment policies (policies 3710 and 3711) shall be displayed in a prominent place and circulated to all school programs and notice of these policies shall be incorporated in existing employee, volunteer, and student handbooks. All employees shall be instructed on these policies and shall be required to sign a statement that they have been instructed in their professional responsibilities regarding unlawful harassment. Age appropriate training on these harassment policies and on the prevention of unlawful harassment shall periodically be held for employees, volunteers, and students.

**3720 FINGERPRINT CLEARANCE**

All diocesan schools and licensed child care programs will comply with the fingerprinting requirements established by the State of California (see PGB).

**3721 FINGERPRINT CLEARANCE FOR APPLICANTS FOR SCHOOL EMPLOYMENT**

Catholic schools require all applicants for certified or classified employment to submit their fingerprints to the California Department of Justice (DOJ) for the purpose of obtaining a criminal record summary from the DOJ and the FBI. No school shall employ or offer employment to an applicant until receiving written notice from the Diocesan Fingerprint Clerk that the applicant's fingerprints have been successfully cleared by the DOJ. The Catholic schools of the Diocese of Fresno shall not employ any applicant who has been convicted or has been arrested pending final adjudication for a sex offense, crime of violence, or serious or violent felony as determined by the Superintendent of Catholic Schools in consultation with the hiring school principal.

All school employees must have a clear criminal record summary on record with the Diocese to qualify for and maintain eligibility for continued employment. This requirement is not applicable to a secondary school student working at the school he or she attends.

### **3722 EMPLOYEE CLEARANCE**

If any employee is convicted of a sex offense, controlled substance offense, crime of violence, or serious or violent felony, the employee shall be dismissed from employment.

### **3723 FINGERPRINT CLEARANCE FOR EMPLOYEES OF INDEPENDENT CONTRACTORS**

A. Contractors for Certain School Services: If any non-school entity's employees are assigned to provide any of the following services which may involve contact with students, the entity or contractor must certify in writing to the school that all his/her employees have submitted fingerprints to the DOJ and have been successfully screened for employment by the DOJ. Services requiring fingerprint clearance are:

1. Schoolsite janitorial;
2. Schoolsite administration and instructional personnel;
3. Schoolsite security;
4. Schoolsite grounds and landscape maintenance;
5. Pupil transportation; and
6. Schoolsite food-related.

This requirement is not applicable in an emergency or exceptional situation (such as when pupil health or safety is endangered or when repairs are needed to make the school's facilities safe and habitable). This requirement is also not applicable if the school has determined that the employees of the entity or independent contractor will have limited contact with students. In determining limited contact with students, the school shall consider the totality of circumstances, including factors such as length of time the contractors are on the school grounds, whether students will be in proximity with the site where contractors will be working, and whether the contractors will be working by themselves or with others. If the school has made this determination, the school shall take appropriate steps to protect the safety of any students who may encounter these employees.

B. Contractors for Construction or Repair of School Facilities: If any non-school entity's employees assigned to construct or repair school facilities will have contact, other than limited contact, with students, the contractor must certify in writing to the school that all his/her employees have submitted fingerprints to the DOJ and have been successfully screened for employment by the DOJ, unless the school can ensure the safety of students by one or more of the following methods:

1. The installation of a physical barrier at the worksite to limit contact with students;
2. Continual supervision and monitoring of all employees of the entity by an employee of the entity whose fingerprints have been cleared by the DOJ;
3. Surveillance of employees of the entity by a school employee.

### **3724 FINGERPRINT CLEARANCE FOR LICENSED CHILD CARE PROGRAMS**

Fingerprint Clearance by Community Care Licensing: All diocesan licensed child care programs shall require all program staff (both compensated employees and non-compensated volunteers) to show evidence of fingerprint clearance through Community Care Licensing prior to being present at the facility or to having any contact with children in the program. This requirement is not applicable to:

- A. Supervised non-facility personnel;
- B. Supervised recreational leaders and assistants;
- C. Certain staff from educational and placement agencies;
- D. Visiting relatives and friends of the person in care; and
- E. Volunteers who are relatives of the person in care.

Fingerprint Clearance by the Diocese of Fresno: Effective July 2010, besides being fingerprint cleared by Community Care Licensing, all employees of diocesan licensed child care programs shall be fingerprint cleared through the Diocese of Fresno before beginning employment at a diocesan child care program. Child care program volunteers shall also be fingerprint cleared through the Diocese of Fresno as required by diocesan policy 3725.

### **3725 FINGERPRINT CLEARANCE FOR SCHOOL VOLUNTEERS**

School volunteers are not mandated by law to be fingerprint cleared. The Diocese of Fresno requires all schools to fingerprint and clear certain volunteers with the following assigned responsibilities:

- A. All school volunteers who have unsupervised access to students. This includes unsupervised volunteers at school, at school-sponsored events, and on field trips (e.g. field trip drivers and chaperones);
- B. All classroom volunteers whether they are supervised or not;
- C. All volunteer coaches and assistant coaches, whether they are supervised or not, and;
- D. All overnight activity chaperones (see policy 5143).

For this diocesan volunteer policy, "unsupervised" is defined to mean that a volunteer is not directly supervised by a school employee at all times when the volunteer has contact with students.

### **3730 NO RIGHT OF PRIVACY OR CONFIDENTIALITY FOR ELECTRONIC SYSTEMS**

Catholic schools do not grant any employee or student any right of privacy or confidentiality regarding the use of all electronic mail or messaging systems ("E-mail Systems"), all computer systems ("Computer Systems"), to include but not be limited to desktop computers, laptop or tablet computers, PDAs, computer network, software programs and connections to the World Wide Web ("Internet"), and all telecommunications systems ("Telecom Systems"), including but not limited to telephone, intercom, voice mail, fax, pager, cell phone, photocopiers, and two-way radio telecommunications, while on campus or at a school-sponsored event or activity. This policy includes the use of all "Electronic Systems" (which is defined as but is not limited to any E-mail Systems, Computer Systems and Telecom Systems) whether owned or operated by the school, a school employee, or a student.

The school has the right to have access to and disclose in its discretion all information generated or created on, retrieved from, stored on, sent or received on, or otherwise communicated in any manner over employee-, student-, or school-owned Electronic Systems operated at school or at any school-sponsored activity. This policy shall be placed in employee and student handbooks.

### **3731 PROHIBITED USE OF ELECTRONICS SYSTEMS**

Catholic schools prohibit the use of all Electronic Systems (as defined in policy 3730) to create, generate, retrieve, receive or send any offensive information or any information contrary to the teachings or beliefs of the Catholic Church, including, but not by way of limitation, any information which contains items of an offensive sexual nature, racial slurs, derogatory gender-specific comments, or any other communications that are disrespectful or discriminatory towards a person's age, sex, sexual orientation, marital status, religious or political beliefs, national origin, ancestry, disability or any characteristic protected by federal or California law. See policy 3710 and following. This policy shall be placed in employee and student handbooks.

## SERIES 4000 STUDENTS

<b>DIOCESAN POLICIES AND GUIDELINES</b>	<b>4100</b>
STUDENT/APPLICANT NON-DISCRIMINATION POLICY .....	4110
<b>ADMISSION REQUIREMENTS</b>	<b>4200</b>
ADMISSION.....	4210
RIGHT OF ADMISSION.....	4211
CONDITIONAL/PROBATIONARY ADMISSION.....	4212
FAMILY BACKGROUND.....	4213
REQUIREMENT OF AGE AND DEVELOPMENTAL READINESS.....	4220
STUDENT TRANSFER .....	4230
FOREIGN STUDENTS.....	4240
IMMUNIZATION/HEALTH ASSESSMENT REQUIREMENTS .....	4250
<b>ATTENDANCE AND ABSENCE</b>	<b>4300</b>
ATTENDANCE .....	4310
LEAVING CAMPUS.....	4320
EXCUSED AND UNEXCUSED ABSENCES.....	4330
TARDINESS .....	4340
CUSTODY AND/OR RELEASE OF A MINOR .....	4350
<b>STUDENT RECORDS</b>	<b>4400</b>
CUMULATIVE RECORDS.....	4410
PRIVACY OF STUDENT RECORDS .....	4420
CHALLENGING THE CONTENTS OF THE RECORD.....	4430
RELEASE OF STUDENT RECORD INFORMATION TO SCHOOLS .....	4440
SUBPOENA OF RECORDS.....	4450
RELEASE OF INFORMATION.....	4460
<b>STUDENT PROGRESS</b>	<b>4500</b>
EVALUATION .....	4510
ACADEMIC TESTING .....	4520

REPORTING TO PARENTS .....	4530
GRADING.....	4531
CONFERENCES.....	4532
ADVANCEMENT .....	4540
PROMOTION .....	4541
RETENTION .....	4542
ACCELERATION .....	4543
GRADUATION EXERCISES .....	4550
POST-GRADUATION ACTIVITIES .....	4551
OBSERVATION OF CHILDREN IN THE CLASSROOM .....	4560
<b>STUDENT HEALTH</b> .....	<b>4600</b>
HEALTH RECORDS.....	4610
HEALTH AND EMERGENCY FORMS.....	4620
ILLNESS AND INJURY.....	4630
MEDICATION.....	4635
COMMUNICABLE DISEASE CONTROL .....	4640
PRINCIPAL'S RESPONSIBILITIES .....	4641
INDIVIDUAL REVIEW .....	4642
APPEAL OF PRINCIPAL'S AND PASTOR'S DECISION .....	4643
CONFIDENTIALITY REGARDING HIV INFECTION.....	4644
STUDENTS WITH HIV .....	4645
EMPLOYEES WITH HIV .....	4646
MEDICAL APPOINTMENTS .....	4650
STUDENT INSURANCE.....	4660
REPORT OF ACCIDENTS.....	4670
<b>STUDENT SAFETY</b> .....	<b>4700</b>
CHILD ABUSE AND NEGLECT .....	4710
BULLYING.....	4711
CUSTODY .....	4720
FIRST AID SUPPLIES.....	4730
EMERGENCY PREPAREDNESS .....	4740
EMERGENCY CLOSURE .....	4741
FIRE DRILLS.....	4742
EMERGENCY PROCEDURES.....	4743
UNHEALTHY AND HAZARDOUS AIR QUALITY EPISODES .....	4744
SCHOOL SAFETY.....	4750
SCHOOL ENVIRONMENT .....	4751
BUILDING SAFETY .....	4751.1

EYE PROTECTIVE DEVICES.....	4751.2
TRAFFIC CONTROL .....	4752
SMOKING RESTRICTIONS.....	4760
SAFETY EDUCATION.....	4770
STUDENT THREATS.....	4780
STUDENT THREATS PROCEDURES.....	4781
RESTRICTED ACCESS TO CAMPUS AND SCHOOL EVENTS .....	4790
<b>STUDENT SUPERVISION</b> .....	<b>4800</b>
SUPERVISION .....	4810
SCHOOL SPONSORED EVENTS.....	4811
FIELD TRIPS.....	4812
RIGHTS .....	4820
SEARCHES.....	4821
FUNDRAISING AND COLLECTIONS.....	4830
RELIGIOUS AND APOSTOLIC ACTIVITIES .....	4840
<b>STUDENT DISCIPLINE</b> .....	<b>4900</b>
STUDENT CODE OF CONDUCT .....	4910
CODE OF CONDUCT COVERING STUDENTS AND PARENTS/GUARDIANS.....	4911
DETENTION.....	4920
ACADEMIC AND DISCIPLINARY PROBATION.....	4930
SUSPENSION .....	4940
SUSPENSION PROCEDURES .....	4941
EXPULSION .....	4950
EXPULSION PROCEDURES .....	4951
RECOMMENDED TRANSFER .....	4960
RECOMMENDED TRANSFER PROCEDURES .....	4961
SPECIAL REGULATIONS.....	4970
PREGNANCY AND ABORTION .....	4971
MARRIED STUDENTS .....	4972
WORK PERMITS.....	4973
SUBSTANCE ABUSE.....	4980
SUBSTANCE ABUSE PROCEDURES.....	4981

---

## 4000 STUDENTS

*"Both in the Church and in human society, children and young people have a dignity of their own. They are important not only for what they will do in the future, but for what they are here and now--for their intrinsic value and their value in relation to the common good."*

SHARING THE LIGHT OF FAITH

### 4100 DIOCESAN POLICIES AND GUIDELINES

The policies in this chapter apply in substance to all schools of the diocese. The procedural details are written especially for elementary schools. High schools should adapt these procedures to their own administrative structures, specify the administrators charged with their implementation, and incorporate the adaptation into their school handbooks. The school shall make its policies known to both students and parent(s) or guardians by distributing a school handbook at the beginning of each school year.

#### 4110 STUDENT/APPLICANT NON-DISCRIMINATION POLICY

The Catholic schools in the Diocese of Fresno, mindful of their mission to be witnesses to the love of Christ for all, admit students of any race, color, and national and/or ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the schools. The Catholic schools in the Diocese of Fresno do not discriminate on the basis of race, color, national and/or ethnic origin, age, gender, or disability in the administration of educational policies, scholarship and loan programs, athletic, and other school-administered programs.

The Special Needs Student: While the Catholic schools do not discriminate against students with special needs, a full range of services may not always be available to them. Decisions concerning the admission and continued enrollment of a student in a school are based upon the student's emotional, academic, and physical abilities and the resources available to the school in meeting the student's needs. Parents or guardians should realize that they may request a minor adjustment of services for students with a special need, but the student's teachers and principal must determine whether the school has the resources and training to educationally support the learning needs of all students.

Each Catholic school shall publish annually in the school handbook, in the parish bulletin, and in any appropriate brochure, this admission policy of non-discrimination.

The Office of Catholic Education shall annually publish a general policy statement in the Fresno diocesan newspaper.

### 4200 ADMISSION REQUIREMENTS

#### 4210 ADMISSION

Each school shall develop clear admission policies to assist families to understand the school's admission process and procedures. Some form of preference in admission shall be given to "active and practicing Roman Catholic" families (see policy 1111).

A letter of recommendation from the pastor of the parish of residence may be required by a school's admission procedures. The school may also require a formal agreement by which parents commit themselves to specific obligations toward the school.

A birth certificate, baptismal certificate (if the child is a baptized Roman Catholic), social security

number, and health record are required of the parents at the time of registration. Information shall be entered on the permanent record when verified by the official documents.

#### **4211 RIGHT OF ADMISSION**

The Catholic schools of the Diocese of Fresno reserve the right to admit, readmit, or deny admission to any student.

#### **4212 CONDITIONAL/PROBATIONARY ADMISSION**

Each Catholic school may decide to admit a student on a conditional or probationary basis if it has reason to believe any of the following apply:

- A. Student history of poor attendance;
- B. Student history of poor academic performance;
- C. Any educational or physical disability which makes demands on the school which the school cannot meet;
- D. Student history of poor disciplinary performance;
- E. Student history of emotional instability;
- F. Midyear transfer;
- G. Parent or guardian history of poor financial responsibility; and/or
- H. Other reasons as determined by the school on a case-by-case basis.

The written terms of the Probationary Admission shall be determined by the school's principal. Parents/guardians must be aware of these terms and must be willing to cooperate with the decisions of the school's principal. These terms must be signed by both the principal and the student's parents/guardians (See policy 4931).

At the end of the probationary period or earlier at the sole discretion of the principal, the principal shall:

- A. Cancel the student's probationary status;
- B. Extend the student's probationary status;
- C. Request the parents or guardians to remove the student from the school according to the terms of the Probationary Admission agreement.

#### **4213 FAMILY BACKGROUND**

The primary purpose of diocesan Catholic schools is to help Catholic parents in their role of educating their children by assisting in their children's academic, personal and spiritual growth. This can only be accomplished by parental cooperation with and support of the school's mission, philosophy, and values. The Catholic schools of the Diocese of Fresno recognize that students come from a variety of family backgrounds, some of which may not fully conform to the moral teachings of the Catholic Church. Acceptance of any child for enrollment at a Catholic school does not imply that the school condones any parental background or living situation that may be contrary to Church teaching.

The personal family background or living situation of a child does not constitute an absolute obstacle to enrollment in the school. Parents, who are in canonically irregular marital situations, who are not normally causing public scandal, and who, at least, are potentially open to canonical resolution when and if circumstances change in their lives, may seek enrollment. A Catholic school will normally bar the enrollment of a child when the parental family background or living situation in the child's home is never capable of canonical resolution or moral acceptance by the Church.

The school has the right to refuse to enroll any child for any reason whatsoever, especially if the child's enrollment is considered not to be in the best interest of the child. It is not usually in the best interest of a child to be enrolled in a Catholic school that will consistently and clearly teach against the parental background or living situation in the child's home.

Parents and guardians who enroll their children must understand that Catholic schools will remain faithful to the teachings of the Roman Catholic Church and steadfast in proclaiming them. When present on the school campus and during school activities off campus, every adult has the responsibility to be a positive role model to



our students, acting in a manner that supports the school's mission, philosophy, and values.

#### **4220 REQUIREMENT OF AGE AND DEVELOPMENTAL READINESS**

---

The Diocese of Fresno is not required by law to follow the California Education Code's eligibility dates to determine whether a child is ready to be admitted to a diocesan elementary school. As long supported by research, a child's age is not an accurate indicator of a child's readiness to attend and succeed in an academic school. The Diocese has retained the State's earlier adopted eligibly dates.

A child shall be admitted to transitional kindergarten, kindergarten, or first grade during the first month of school if the following requirements are met:

- A. Required Age for Admission to Transitional Kindergarten: To be eligible for admission to transitional kindergarten the child shall have his/her fourth birthday on or before December 2<sup>nd</sup> of the current school year.
- B. Required Age for Admission to Kindergarten: To be eligible for admission to kindergarten the child shall have his/her fifth birthday on or before December 2<sup>nd</sup> of the current school year.
- C. Required Age for Admission to First Grade: To be eligible for admission to first grade the child shall have his/her sixth birthday on or before December 2<sup>nd</sup> of the current school year.
- D. Required Developmental Ability to Succeed: The child shall be developmentally able to succeed in school. All elementary schools shall administer the diocesan approved test to children applying for admission for transitional kindergarten, kindergarten, or first grade to determine each child's developmental readiness.

If a child is admitted to transitional kindergarten, kindergarten, or first grade, his/her admission is probationary for at least six (6) weeks (See policy 4211).

Exceptions to these age and readiness requirements may be made by the school's principal. A school may establish its own eligibility dates so as to meet the school's readiness requirements for the children they serve. These dates should be published in the school's admission's literature.

#### **4230 STUDENT TRANSFER**

---

Admission of transfer students with special needs will be dependent upon the school program's ability to meet these needs.

Students from other parish schools will not be considered for admission without just cause for transfer and verification of the reason through contact with the principal and pastor.

Any new incoming students must fill out a release of records form in order to have records transferred from the student's previous school.

#### **4240 FOREIGN STUDENTS**

---

Schools may admit non-immigrant students with a qualifying visa if the school has been approved by the United States Department of Justice, Immigration and Naturalization Service.

- A. The schools of the diocese were approved as schools for non-immigrant foreign students in 1969. All correspondence from schools to the Immigration and Naturalization Service of the Department of Justice, including certificates of student acceptance, should make reference to the approval number, SFR 214F.0011.
- B. No principal should sign any form to admit a non-immigrant student unless the principal has evidence that the student is a suitable candidate for enrollment.

#### **4250 IMMUNIZATION/HEALTH ASSESSMENT REQUIREMENTS**

---

Schools shall comply with the current requirements for immunization and health assessment as established by state and local health authorities. Admission will depend upon this documentation.

---

**4300 ATTENDANCE AND ABSENCE**

---

**4310 ATTENDANCE**

The school is obliged to keep and maintain an accurate record of daily attendance for each student. School registers are kept in the active file in the office for two years, and then filed permanently.

**4320 LEAVING CAMPUS**

A student may not leave the school campus during the school day without the notification of the school administrator or designee and the written permission of the student's parent or guardian (see policy 4350).

**4330 EXCUSED AND UNEXCUSED ABSENCES**

Excused Absence: For the purpose of determining whether a student is truant, an excused absence is an absence which the school has reviewed and has determined does meet the following school requirements for an excused absence: student illness; death in the immediate family; family emergency; observation of a religious holiday; circumstances causing reasonable parent/guardian concern for the student's health or safety; and/or other situations beyond the control of the student, as determined by the principal. An excused absence DOES NOT exempt a student from completing all the school work assigned by teachers.

Unexcused Absence: An unexcused absence is an absence which the school has determined does not meet the school's requirements for an excused absence. Such absence is considered to be a truant absence. An unexcused absence DOES NOT exempt a student from completing all the school work assigned by teachers. Each school shall establish its own policies for frequent or habitual unexcused absences or truancy.

Return to School after an Excused or Unexcused Absence: A written excuse dated and signed by the parent or guardian is required the day the student returns to school following an absence. These excuses should be kept on file until the end of the school year.

**4340 TARDINESS**

A student is tardy if he/she arrives after the time fixed by school policy for the beginning of the morning or afternoon, or any class session. Each school shall establish local policy for dealing with frequent or habitual tardiness. A record of a student's tardiness must be kept in the school's attendance register.

**4350 CUSTODY AND/OR RELEASE OF A MINOR**

No organization, agency, or person shall be allowed to assume individual custody of any student unless:

- A. Explicitly authorized in writing by a parent or legal guardian; or
- B. Officially authorized by active duty police officer or Child Protective Services agent (see also policy 8530).

It is the responsibility of a child's parent or legal guardian to inform the school of any changes in a child's custody status and home arrangements. In cases involving divorce or separation, each parent may take custody of the child and review school records unless a certified court order or restraining order limiting a parent's access to a child and his/her records has been presented to the school.

Parental differences regarding a child's custody or visitation must be resolved by the court. The school will not honor any verbal or written requests to limit another parent's access to his/her child unless this limit is contained within an official court or restraining order submitted to the school.

In cases in which a legal guardian has assumed parental responsibility for a child, court documentation (e.g. certificate of guardianship, power of attorney, etc.) must be submitted to the school before the school will recognize and honor this relationship.

## **4400 STUDENT RECORDS**

### **4410 CUMULATIVE RECORDS**

Full and accurate cumulative records of each student's attendance and academic progress are kept on file permanently. Only authorized personnel may have access to these records. Parents wishing to see their children's cumulative records should request an appointment. Such arrangement insures that a qualified person will be available to answer questions and interpret the recorded data. Each school shall adopt procedures for the granting of requests by parents to inspect and review records during regular school hours. Access shall be granted no later than five days following the date of request.

Confidential reports from an agency or professional individual, such as a psychologist, should be filed separately from the cumulative records. These reports may not be transferred with other student records without the written permission of the parents or guardian and, in the case of an outside agency, of the responsible agency.

### **4420 PRIVACY OF STUDENT RECORDS**

Apart from the provisions in policy 4410, the school shall not give any personal information to any person unless the person is one of the following:

- A. A parent or legal guardian.
- B. Parents of an 18 year old pupil who is a dependent.
- C. Persons permitted access to pupil records by written parental consent.
- D. Diocesan school officials who have a legitimate educational reason to inspect a record.
- E. Federal, state, and local education officials when the information is necessary to counsel or evaluate programs that are publicly funded; public officials when the law specifically requires that such information be reported to them.

### **4430 CHALLENGING THE CONTENTS OF THE RECORD**

Challenges to the content of the record are concerned with the correction of data in the student record not with substantive decisions on academic grades. These challenges are to be settled at the local level.

The parent of a student may file a written request to the principal to correct or amend any information in his child's permanent records which he alleges to be inaccurate.

### **4440 RELEASE OF STUDENT RECORD INFORMATION TO SCHOOLS**

When a student transfers to another school, a copy of the student's permanent enrollment and scholarship records must be transferred by the former school upon a written request from the parent obtained by the school or district where the student intends to enroll. The written request should be kept in the student's file.

- A. An elementary school may, after general notification to parents, release the transcripts of eighth grade student's scholastic and enrollment records to the Catholic high schools where the student intends to enroll.
- B. A transcript of student record ordinarily should include only the scholastic record, directory information, and the student health record.
- C. Student transcripts should be mailed to the receiving school.  
Except in the case of transcript requests from colleges, transcripts may not be withheld because of tuition delinquency, unless the parents have signed a tuition agreement by which they have explicitly waived their rights.

### **4450 SUBPOENA OF RECORDS**

When a subpoena requesting records is served, a copy of the records is taken to the court by the principal or a member of the faculty. The person who takes the records is designated as a registrar and may be called as a witness. A reasonable effort must be made to notify the parent(s) in advance of compliance with such a subpoena. In case of doubt, the Office of Catholic Education should be consulted before any information is given.

#### **4460 RELEASE OF INFORMATION**

---

Schools are never permitted to furnish a list of student names and addresses to be used for commercial purposes.

<b>4500 STUDENT PROGRESS</b>
------------------------------

#### **4510 EVALUATION**

---

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 curriculum.

#### **4520 ACADEMIC TESTING**

---

Students are required to take a series of standardized tests as prescribed by the Office of Catholic Education Testing Program (See policy 5411 and PGB).

#### **4530 REPORTING TO PARENTS**

---

Schools have the obligation to report pupil progress to the parents of each child through a regular and established procedure at least at the end of each academic quarter.

Parent-teacher conferences and report cards are a normal and appropriate means of communication. The format of each is left to the discretion of each local level. This shall be stated in the local handbook and in accordance with Diocesan guidelines.

#### **4531 GRADING**

Academic grades are based on scholastic achievement. The Superintendent of Catholic Schools may authorize experimental grading codes. Grading procedures should be published in the local school handbook for parental information and adhered to by all teachers in the school.

#### **4532 CONFERENCES**

To effect closer cooperation between home and the school, parent-teacher conferences should be held for all parents at least twice a year.

When it appears that a student is not succeeding in a particular subject, there should be communication with parents. Such contact should be clearly documented with a written record kept on file.

#### **4540 ADVANCEMENT**

---

Each school will maintain adequate data and will utilize appropriate evaluation instruments to provide decision-making information 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 (See policy 4930).

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

#### **4541 PROMOTION**

Elementary school students satisfactorily completing a grade's work and who are correspondingly mature shall be promoted to the next grade. Promotion for high school students is based on passing grades and sufficient units to fulfill requirements.

#### **4542 RETENTION**

Retention in a grade for a second year requires careful consideration to determine if it would benefit the student. If, in the teacher's judgment, retention is probable, the principal should be notified as soon as possible. A conference should be held with the parents no later than the end of the first semester to advise them of this possibility of retention (See policy 4930).

Both parents and teachers must consider the necessity of providing special assistance (e.g. tutoring, summer school, etc.) to the student in question or of directing the student toward some alternative program which is more realistically suited to his/her needs. Follow-up conferences with the parents should be held to evaluate the academic progress of the student. Evaluations and reports to parents must indicate failure to achieve minimum objectives in at least two basic subjects.

After all procedures have been followed, the principal shall make the decision regarding final grade placement. No student shall be retained more than one year at any grade level. Ordinarily, a student should not be retained more than once while in elementary school.

#### **4543 ACCELERATION**

Only very rarely should a student be allowed to skip a grade, and then only if the case has been referred to the parents. Exceptional children may develop more satisfactorily if allowed to advance with their own age group. Every teacher should recognize students with exceptional ability and direct them toward additional study which will challenge their talents.

#### **4550 GRADUATION EXERCISES**

Graduation exercises shall be dignified and simple and shall take place no earlier than the week preceding the closure of school. Parents of a student who is in danger of not graduating should be notified as soon as this situation becomes a probability (See policy 4931).

The reason for withholding diplomas and/or exclusion from graduation exercises shall be clearly stated as part of school policy.

#### **4551 POST-GRADUATION ACTIVITIES**

School-sponsored post-graduation parties or activities must meet the following criteria:

- A. The school must obtain Special Event Insurance and meet any additional requirements established by the Diocese of Fresno Risk Management Office.
- B. School personnel will supervise this event.

If private individuals or groups plan and sponsor such an event and, if they meet the requirements listed below, they may advertise this event on campus. The requirements include:

- A. The sponsors must comply with any requirements established by the Diocese of Fresno Risk Management Office.
- B. The sponsors shall clearly state in the event literature and communications that this event is not a school-sponsored activity and that any school employee who attends this non-school-sponsored event is acting as a private individual and not as an agent or employee of the school.
- C. The sponsors shall not conduct on campus any planning, fundraising, or any other business related to this non-school-sponsored activity, except advertising the event.

#### **4560 OBSERVATION OF CHILDREN IN THE CLASSROOM**

---

Any parent or adult who wishes to observe a classroom must obtain prior permission from the principal.

Parents should be invited into the classroom to observe a group of children in action at specific times during the year. An orientation helps parents to know what to observe and how to interpret its value. Afterwards, it is important that the parents discuss their observations with the teacher and have an opportunity to ask questions.

#### **4600 STUDENT HEALTH**

---

Principals shall be familiar with the local health department guidelines and recommend practices designed to promote the health and well being of children attending school.

It is the responsibility of the principal to cooperate with local health agencies and develop procedures in order to comply with regulations concerning student health, immunization requirements, health screening examinations, and first aid/emergency directives.

#### **4610 HEALTH RECORDS**

---

Student health and medical records are confidential and shall be maintained in a separate section of the student's file. Every student will have on file a health record card on which is noted all immunizations and which lists other pertinent health information. Records shall also be kept of student medication (see policy 4635). As determined by the school's administration, these records may be made available to teachers and other school personnel so that they may be aware of information concerning chronic diseases or special health problems of students (see policy 4640 and following).

#### **4620 HEALTH AND EMERGENCY FORMS**

---

At the beginning of each school year, each child's parent(s) or guardian(s) shall provide the school with a diocesan approved school consent for emergency medical treatment form (see PGB).

#### **4630 ILLNESS AND INJURY**

---

When a student becomes ill or is injured, the available personnel shall take reasonable steps to care for the ill or injured student.

- A. The person in charge shall make every effort to contact the parent/guardian of the student for information and instructions.
- B. If no parent/guardian can be reached and/or the illness or injury is believed to be serious enough to require immediate medical attention, the person in charge shall call emergency services (911).

#### **4635 MEDICATION**

---

No student shall be allowed to self-administer or receive assistance from school personnel to take any non-prescribed or physician-prescribed medication unless the student's parent or guardian has provided the school with a diocesan approved waiver and release form (see PGB).

If a student must take medication during the school day, the following procedure shall be followed:

- A. The student's parents/guardians may come to school and administer the medication to their child without using the diocesan approved medication form.
- B. If the parents/guardians want their child to self-administer or receive assistance from school personnel to take any medication:
  - 1. A diocesan approved waiver and release form must be submitted by the student's parent or guardian and accepted by the school.
  - 2. Unless a student is allowed by the school to carry and self-administer a prescribed medication, the student is to come to the office or to the school designated staff member to be assisted in taking his/her

medication.

3. The school shall keep a confidential record of its assistance to a student's taking medication.
4. The waiver and release form and the school's record of assistance to a student's taking medication shall be removed from the student's confidential medical file three school years after the child has reached majority.

#### **4640 COMMUNICABLE DISEASE CONTROL**

Schools in the Diocese of Fresno shall work cooperatively with state and local health agencies to prevent, control, and contain communicable diseases. Diseases that may be communicable include but are not limited to: measles, mumps, chickenpox, conjunctivitis, strep infection, influenza, mononucleosis, tuberculosis, meningitis, Hepatitis B, HIV (Human Immunodeficiency Virus), AIDS (Acquired Immune Deficiency Syndrome), etc.

Communicable disease is a serious concern for both the afflicted person and the school community. Each communicable disease case shall be judged on its own merits by balancing the need of the individual to participate in school and the needs of the school community to be protected from potentially serious health problems.

#### **4641 PRINCIPAL'S RESPONSIBILITIES**

- A. Reporting Diseases - The principal shall inform the pastor and Superintendent of Catholic Schools of all potentially serious communicable diseases. As required by state and local health code, the principal shall also inform the local health officer of all reportable communicable diseases (See policy 4644).
- B. Confidentiality - The identity and health records of a student or employee with a communicable diseases are confidential and the number of persons within the school who are made aware of the student's or employee's condition shall be the minimum necessary to assure proper care of the student or employee, other students, and staff (See policy 4644).
- C. Exclusion from School - After evaluating an individual communicable disease case in consultation with the local health officer or designee, and also with the oral permission of the pastor and Superintendent of Catholic Schools, the principal may exclude either a student or employee from school who is suspected or diagnosed as being exposed to or having a communicable disease that may present a serious health threat to him or herself or to others.
- D. Closing School - The principal, in consultation with the local health officer or designee, and also with the oral permission of the pastor and Superintendent of Catholic Schools, may close a class or school due to a serious outbreak of communicable disease.

#### **4642 INDIVIDUAL REVIEW**

The principal, the pastor, the Superintendent of Catholic Schools, the parent or guardian of a student afflicted by a potentially life-threatening communicable disease, or an employee afflicted by a potentially life-threatening communicable disease may request that the school form a Confidential Communicable Disease Review Panel to recommend to the principal and pastor what appropriate course of action should be taken to prevent, control, and contain the communicable disease in question. The school's panel must have the following membership:

- A. The principal;
- B. The pastor;
- C. The local health officer or designee; and
- D. A physician with expertise in the related disease who is not associated with the case under consideration.

The panel shall invite the following parties to testify:

- A. The parent or guardian of the afflicted student or the afflicted employee;
- B. The physician treating the afflicted individual; and
- C. Any other individuals as determined by the panel.

#### **4643 APPEAL OF PRINCIPAL'S AND PASTOR'S DECISION**

If a student is excluded from attending school, the parent or guardian of the afflicted student may appeal to the Superintendent of Catholic Schools. Such an appeal shall be sent in writing by registered mail within seventy-two

(72) judicial hours (i.e. any day that state courts are in session) of the receipt of the school's written decision of either exclusion from school (See policy 4641) or exclusion from school following an Individual Review (See policy 4642).

An employee who is excluded from employment may appeal using the "Due Process Procedure" (See policy 3297).

#### **4644 CONFIDENTIALITY REGARDING HIV INFECTION**

In compliance with the "Confidentiality of Medical Information Act", Civil Code Section 45 et seq., and Health Safety Code Section 199.21 (g), the name of a student or employee who is infected by HIV shall not be released to any other party without the written permission of the parent or guardian of an afflicted student or the afflicted employee.

#### **4645 STUDENTS WITH HIV**

The admission, retention, and educational placement of students known to be infected with HIV shall be made by the principal and pastor on a case by case basis using the procedures of policies 4641 and following. A student shall be allowed to attend school so long as current medical evidence indicates that the student's attendance does not present a serious health threat to the student or others at the school. Reassessment of a student's condition may be made on a regular basis.

#### **4646 EMPLOYEES WITH HIV**

Employees who are known to be infected with HIV shall not be discriminated against in terms of compensation, conditions or privileges of employment. The principal shall make reasonable accommodations to assist afflicted employees unless such accommodations impose an undue hardship. Using the procedures of policies 4641 and following, the principal may discharge an employee afflicted with HIV if the employee is unable to perform his or her duties.

#### **4650 MEDICAL APPOINTMENTS**

The school urges parents to keep requests for early dismissal to a minimum during regular school hours. Students may receive an early dismissal for medical or dental appointments when parent(s) and/or guardian submit a written request. The school records the absence in class register.

#### **4660 STUDENT INSURANCE**

All students shall participate in the student accident insurance program. This insurance provides benefits for students injured at school, on the playgrounds while participating in athletic contests, while directly going to or coming from school sponsored activities.

#### **4670 REPORT OF ACCIDENTS**

The school reports all accidents which occur on school property or during school activities to the Office of Catholic Education and the diocesan liability insurance carrier as soon as possible. The principal or secretary shall provide the parents with student accident insurance forms when requested.

<b>4700 STUDENT SAFETY</b>
----------------------------

#### **4710 CHILD ABUSE AND NEGLECT**

Child abuse and neglect is any act of commission or omission that endangers or impairs a child's physical or emotional health and/or development. The major responsibilities for school personnel are:



- A. To identify incidents of suspected child abuse or neglect; and
- B. To comply with laws requiring reporting of suspected child abuse or neglect to proper authorities.

In the Diocese of Fresno, all school employees are mandatory reporters as defined by law. If a mandatory reporter reasonably suspects that a child has been abused or neglected, he/she shall:

- A. Immediately report this suspicion to the school principal;
- B. Report this suspicion by telephone to the appropriate child protective agency as soon as possible (if possible, make this call with the principal); and
- C. Within 36 hours of identifying suspected child abuse or neglect, complete the state form "SS 8572" and mail it to the appropriate child protective agency. A copy of this form must be kept on file at the school and mailed to the Superintendent.

Failure to meet these requirements may result in disciplinary action by the school and/or a misdemeanor charge punishable by fine and/or imprisonment (See policy 3255 and PGB).

#### **4711 BULLYING**

All Catholic schools and licensed Preschools are committed to providing a caring, friendly and safe environment for all students so they can learn in a secure atmosphere. Bullying of any kind is unacceptable at school.

Bullying is defined as the use of intimidation or aggression with the intention of hurting another person either verbally, electronically, or physically which results in pain and distress to the victim.

Students and all members of the school community are expected to inform a member of the school's administration when they reasonably suspect that someone is being bullied. Upon receiving a claim of a bullying incident, the school's administration will promptly investigate the claim.

#### **4720 CUSTODY**

---

No unauthorized organization, agency, or person may be allowed to visit or assume custody of any student on school premises during school hours or immediately before or after unless authorized in writing by the parent or guardian. In order to cooperate with student and family needs, the school must be informed of custody arrangements. It is the responsibility of the parent or guardian to inform the school of custody status and subsequent changes. The school may ask for legal verification of these arrangements.

#### **4730 FIRST AID SUPPLIES**

---

Schools should be equipped with first aid supplies. The local health department or chapter of the American Red Cross is resources for information on adequacy of first aid supplies. First aid supplies should be taken on field trips. Whenever a field trip is conducted in an area infested by poisonous snakes, the first aid kit should include a snake bite kit.

#### **4740 EMERGENCY PREPAREDNESS**

---

At the beginning of each year, a complete and current emergency address card for each student must be obtained and kept on file in the school office. These emergency address cards must be readily available during any school emergency (See policy 4620).

The principal of each school shall develop appropriate school emergency procedures to be followed in case of any emergency. These procedures should be written and given to the entire school staff, reviewed annually with the staff, and revised as necessary.

Principals are encouraged to have members of the school staff trained in emergency first aid and cardiopulmonary resuscitation (CPR). Principals are also encouraged to have first aid and CPR trained staff at school events.

#### **4741 EMERGENCY CLOSURE**

The principal, in deciding upon temporary closure of school for a particular reason, should make provision for notification of parents and for proper supervision of the students, if necessary. Notification of closure should be made to the Office of Catholic Education (See policy 4641).

#### **4742 FIRE DRILLS**

Each school must have an operative fire warning system. The system should be checked frequently. Fire drills shall be conducted during the first week of school and at least once a month thereafter (See PGB).

#### **4743 EMERGENCY PROCEDURES**

See the PGB for emergency procedures (including lock-down and building and school evacuation) to respond to bomb threats, earthquake, weapons or hostage situations, biological-chemical threat, etc.

#### **4744 UNHEALTHY AND HAZARDOUS AIR QUALITY EPISODES**

Each school principal shall take appropriate steps to protect the health of students and employees during unhealthy and hazardous air quality episodes. Working with the information provided by their local air quality control or management district, each school shall monitor local air quality and shall limit or restrict physical activities at school or at any school-sponsored activity during declared unhealthy and hazardous air quality episodes.

To monitor unhealthy and hazardous air quality episodes, the school shall monitor the Air Quality Index (AQI) reported by its local air quality control or management district. For most schools this is the San Joaquin Valley Air Pollution Control District.

Each school shall create a confidential list containing the names of students and employees especially those with respiratory diseases such as asthma who are sensitive to air pollution. This list will be called the "Air Quality Sensitive Group" (hereafter, "Sensitive Group"). To assist the school to identify students to be included in this Sensitive Group, parents/guardians must notify the school in writing of their child's sensitivity to air pollution. Employees must notify the principal of their sensitivity to air pollution. Any employee or student who complains of respiratory difficulty shall be treated as a member of the Sensitive Group.

##### Unhealthy Air Quality Level for the Sensitive Group:

- A. When the AQI is 50-100, the air quality is considered moderately unhealthy for extremely sensitive children and adults. The school should consider limiting outdoor exertion for members of the Sensitive Group.
- B. When the AQI is 101-150, the air quality is considered unhealthy for sensitive children and adults. All members of the Sensitive Group should limit prolonged outdoor exertion.

Unhealthy Air Quality Level: When the AQI is 151-200, the air quality is considered unhealthy for all persons especially Sensitive Group members. The school shall take the following steps:

- A. Physical Education: Besides following the precautions issued by their physician, students in the Sensitive Group shall refrain from all vigorous or strenuous activities and shall be kept indoors. All other students and employees should discontinue all outdoor exercise in the afternoon.
- B. Athletic Events/Practices: All afternoon athletic events/practices should be rescheduled. Film or chalk talk sessions may be conducted indoors.
- C. Employees: All employees should limit their physical activities except for those necessary in response to emergency situations.

Very Unhealthy Air Quality Level: When the AQI is 201-300, the air quality is considered very unhealthy for all persons. In addition to the steps taken during Unhealthy Air Quality Level, the school shall take the following steps:

- A. Physical Education: All outdoor physical activities by all students shall be discontinued.
- B. Athletic Events/Practices: No physical activity is allowed. Film or chalk talk sessions may be conducted indoors.
- C. Employees: All physical exertion shall be curtailed.

Hazardous Air Quality Level: When the AQI is over 300, the air quality is considered hazardous for all persons. All outdoor physical activity shall be restricted for students and employees. At this stage, the California Air Resources Board recommends sending children home or keeping them indoors at all times.

Regardless of the projected or measured pollutant concentration or AQI, all schools shall follow the directions given by its local air quality control or management district.

## **4750 SCHOOL SAFETY**

---

### **4751 SCHOOL ENVIRONMENT**

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

#### **4751.1 BUILDING SAFETY**

The principal should be aware of local building safety rules. Exit doors should never be locked during school hours.

#### **4751.2 EYE PROTECTIVE DEVICES**

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 eye.

### **4752 TRAFFIC CONTROL**

The regulations of the local police department in the matter of traffic control and safety must be complied with explicitly. School safety patrols may be used only at those locations where the nature of traffic will permit their safe operation.

Students shall be assigned to serve on patrol with written parental consent. Students must be at least ten (10) years old or enrolled in 5th grade or above to serve on the traffic patrol.

### **4760 SMOKING RESTRICTIONS**

To promote the health and safety of all students and staff and to model positive health habits for students, the use of tobacco products is banned on school grounds and in school vehicles. This prohibition applies to all employees, students, and visitors at the school or at any school-sponsored activities or athletic event. Signs must be posted on each campus and in each school vehicle stating that tobacco use is strictly prohibited.

Smoking may be permitted at bingo facilities if the requirements of all applicable local, state, or federal laws are met.

### **4770 SAFETY EDUCATION**

---

Safety education shall be provided in the general curriculum for both elementary and secondary schools.

### **4780 STUDENT THREATS**

---

All student threats to inflict harm to self or others shall be taken seriously (see also policy 4910 "Student Code of Conduct"). Whoever hears or becomes aware of any threat made by a student shall report it immediately to a

school administrator. The school shall make an effort to communicate this policy to all faculty, staff, volunteers, parents/guardians and students.

#### **4781 STUDENT THREATS PROCEDURES**

##### Step One: Initial Response of School to a Student Threat

The principal or his/her delegate shall immediately:

- A. Keep the student who has allegedly made the threat in the school office under supervision and notify the student's parent/guardian of the situation.
- B. Carefully document all information on the situation. If the school's investigation determines that there was no foreseeable risk of harm, the student's disciplinary record shall reflect this resolution. This documentation must be kept for a period of one year beyond the time the child leaves the school.

##### Step Two: Preliminary Assessment of Risk of Harm

The principal or his/her delegate shall immediately:

- A. Gather information about the threat (e.g. interview reporting/witnessing parties, gather past history on the student, interview the student who is alleged to have made the threat, interview the student's parent/guardian, etc.).
- B. Assess the potential risk of harm based upon the information gathered. There are two basic assessments of risk of harm: the student presents no foreseen risk of harm or some potential risk of harm. These levels are defined as follows:
  1. No foreseen risk of harm: Upon assessment it appears there is insufficient evidence for any risk of harm. Situations under this level can include misunderstandings, poor decision-making, insensitive remarks, inappropriate slang, false accusations from peers, etc.
  2. Some potential risk of harm: Upon assessment it is clear or unclear that the student is potentially dangerous to self or others.

##### Step Three: School Response to Preliminary Assessment

The principal or his/her delegate shall respond as follows to either basic assessment of risk of harm:

- A. Response to no foreseen risk of harm: The school shall:
  1. Take whatever disciplinary action it deems necessary to prevent a recurrence of the problem;
  2. Notify the student's parent/guardian of the resolution; and
  3. Allow the student to return to class or school.
- B. Response to some potential risk of harm: The principal or his/her delegate should:
  1. Notify the police.
  2. Keep the student in the school office under supervision until the police arrive, and notify the student's parent/guardian of this action.
  3. Notify the student, teacher, or other persons who is the object of the threat.
  4. Seek the officer's assessment of the risk of harm after he/she has conducted an investigation. Police investigations may entail:
    - a. Interviews with reporting/witnessing parties;
    - b. Interviews with school representatives to gather history on the student;
    - c. Interviews with the student's parent/guardian;
    - d. Interview with the student;
    - e. Home search; and/or
    - f. Arrest and detention of the student.

##### Step Four: School Response after a Police Assessment of Risk of Harm

After receiving the preliminary assessment of risk of harm from the police, the principal or his/her delegate shall respond as follows:

- A. If the school concludes that there is no foreseen risk of harm: The school shall:
  1. Take whatever disciplinary action it deems necessary to prevent a recurrence of the problem;
  2. Notify the student's parent/guardian and the student, teacher, or other persons who is the object of the threat of the resolution; and
  3. Allow the student to return to class or school.
- B. If the school concludes that there is some potential risk of harm: The school shall:

1. Suspend the student and not consider the readmission of the student to the school until the actions listed below have been completed. The school may in its judgment decline to initiate the actions needed to readmit the student.
  - a. If the parent/guardian of the student wants his/her child to be readmitted to the school, he/she must:
    - i. Give permission to the school to all of the following actions listed below including the evaluation, submission of information, and delivery of reports;
    - ii. Give the school his/her full cooperation in this matter.
  - b. A school appointed psychiatrist or psychologist with a PhD licensed in the state of California must conduct a comprehensive mental health evaluation/risk assessment. If a psychiatrist performs the primary evaluation, he/she shall determine the necessity to utilize a psychologist for psychological consultation and/or testing. If a PhD. psychologist performs the primary evaluation, he/she shall determine the need for psychiatric consultation. The cost of all evaluation/risk assessments shall be the responsibility of the student's parent/guardian.
  - c. The school shall provide to the mental health care professional (psychiatrist and/or PhD. psychologist) all relevant facts, including but not limited to, aggressive behavior, details of the threat as known to the school, copies of any drawings or writings, disciplinary history of the student, behavioral concerns, and the names of any known victims or potential victims.
  - d. The mental health care professional shall at the outset notify the school and the student's parent/guardian if he/she determines any risk of harm exists. If a risk of harm is identified by the mental health care professional, there is no need to supply the school with a detailed report. If there is no foreseen risk of harm, the report to the school and parent/guardian shall also provide a written, comprehensive, detailed evaluation, report, and documented treatment plan stating the basis (factual and risk factors and testing results) upon which he/she determined that the student is not/does not pose a risk of harm. The report shall also address any other concerns raised by the principal to the mental health care professional.
  - e. This evaluation and report and all subsequent reports shall be made available to the principal who will share them with the school's pastor/rector, the Superintendent of Catholic Schools, and any legal and/or mental health care consultants including other school administrators and the school counselor (if available) assisting the principal in his/her decision regarding the readmission of the student to school.
  - f. With the concurrence of the school's pastor/rector and the Superintendent of Catholic Schools, the principal may notify the parent/guardian of the student when he/she may be readmitted to the school. If the student is determined to be a possible risk of harm, the school may remove the student from the school (see policy 4950 "Expulsion). If the evaluation and report indicates that there is a risk of harm and if the school removes the student from the school, the mental health care professional's evaluation and report will be returned to the mental health care professional. In this case, the student's record shall simply state that after investigation, the school determined that it was no longer in the best interest of the parties for the student to continue in the school since the student presented a possible risk of harm.
  - g. The mental health care professional shall provide the principal a follow-up assessment of the student within 30 days of readmission to the school. This follow-up assessment and/or evaluation shall inform the principal if therapy, counseling, and/or treatment are recommended, will be needed, and/or provided. Any therapy, counseling, and/or treatment are the financial responsibility of the student's parent/guardian.
2. Contact the parent/guardian of any students who have been indicated as potential victims.
3. Refer to a school counselor (if available) or provide a counseling referral to a victim of serious threatening behavior if it is determined that such is warranted or requested.

Documentation from the mental health care professionals concerning any student is to be placed in a separate, confidential file and should not be a part of the student's academic or disciplinary file. This documentation must be kept for a period of one year beyond the time the child leaves the school.

#### **4790 RESTRICTED ACCESS TO CAMPUS AND SCHOOL ACTIVITIES**

To protect the safety and security of students, school employees, and volunteers, all Catholic school campuses and their scheduled off-campus events and activities are closed to the public. The school, with or without cause,

may at its sole discretion invite parents, guardians, relatives and friends of students and others to come on campus or attend off-campus school events and activities.

- A. The school shall reasonably attempt to control and monitor all visitors to campus during instructional time. All classroom visits must be pre-approved by the school designee.
- B. The school, with or without cause, may deny or limit entry and access to the campus or to off-campus events or activities to anyone including a student's parent or guardian.
- C. Registered sex offenders listed on the Megan's Law web site, who are disclosed to the school, are prohibited from coming on campus unless accompanied or supervised by a school employee.

## **4800 STUDENT SUPERVISION**

### **4810 SUPERVISION**

The principal is responsible for adequate supervision of students during the entire time they are present on school premises and under the control of school personnel. The specific times that the school is responsible for supervision should be stated in the parent handbook:

- A. No student or students should ever be in a classroom without supervision.
- B. Supervisory personnel (including teachers and paid or volunteer aides assigned for duty) shall be inserviced regarding their responsibilities.
- C. Students are never to be sent on errands off the school campus. They may be released from school only at the verified written request of the parent or guardian.
- D. All students transported by the school to school-sponsored events shall have the written permission of the parent or guardian using the school's "Parent Permission Form" (See policy 6600 and following).

### **4811 SCHOOL SPONSORED EVENTS**

School sponsored events should be adequately supervised, adjusted to the maturity level of the students, limited to avoid conflicts with family or religious obligations of students, and maintained at reasonable expense. The school is responsible for the behavior of students at any school sponsored event. Parents should be 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 time of a school sponsored event.

### **4812 FIELD TRIPS**

Field trips provide students with an extension to the regular classroom and, therefore, are encouraged. A field trip should flow naturally from a particular area of study or provide a learning opportunity that cannot be provided within the confines of the class (See policy 6600 and following).

### **4820 RIGHTS**

Recent court decisions point out that civil and legal rights of students must be carefully guarded by principal and staff. School policies covering this area should be drawn with this caution in mind.

### **4821 SEARCHES**

The school reserves the right and duty to conduct a search of a student and the physical plant and grounds of the school (including student lockers and autos) whenever the school's administration determines that there may be a potential threat to the health, welfare, or safety of any student, member of the staff, or visitor to the school.

The school should publish its right and duty to conduct searches in the parent/student handbook. A search of a student's person should only occur in rare cases and with appropriate like-gender supervision and with a like-gender witness.

### **4830 FUNDRAISING AND COLLECTIONS**

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

The local board, working with pastor and principal, will establish criteria for a minimum of fundraising activities which 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.

### **4840 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.

## **4900 STUDENT DISCIPLINE**

Students' actions and attitudes should reflect a Christian ethic and be in accord with the moral and religious expectations contained in the philosophy and goals of each school.

Discipline in the Catholic school is an essential aspect of Christian development. Its purpose is to educate students to an appreciation of the importance of developing responsibility and self control, to build a sense of Christian community, and to provide an environment for learning; therefore, it is to be considered as an expression of moral guidance and not a form of punishment. It is in this spirit that corporal punishment; language which will bring ridicule on the student or parents; disciplinary actions whose intent is to affect a student's academic performance; and withholding or altering rightfully earned academic marks are unacceptable. Following in this spirit, the school's disciplinary response to inappropriate behavior should normally be applied in the following sequence: classroom disciplinary practices, detention, probation, suspension, and expulsion.

All local school disciplinary policies and procedures shall be in compliance with diocesan policies and procedures. These local school policies and procedures shall be consistent with the overall philosophy and goals of the school and should stem from a loving, accepting attitude toward the student as a person of dignity. The school's general disciplinary procedures shall be clearly outlined in its school handbook.

### **4910 STUDENT CODE OF CONDUCT**

The school may take disciplinary action if a student conspires or engages in any of the following activities on or near campus or at any school function:

- A. Any disruptive behavior or conduct at school or in public that reflects adversely on the school.
- B. Personal appearance or dress code violations.
- C. Disobedience, insubordination, or disrespect for authority.
- D. Lack of cooperation with the school's attendance policies including but not limited to unauthorized absence or excessive absences/tardiness, cutting classes or school with or without permission of parents.
- E. Forgery of any person's signature, falsification or misrepresentation of phone calls, notes, forms, or other school related documents.
- F. Cheating.
- G. Inappropriate touching or intimacy, obscene acts, possessing or distributing obscene materials, or engaging in habitual profanity or vulgarity.
- H. Attempting, threatening, or actually injuring, intimidating, degrading, disgracing, harassing, or bullying any student, member of the staff, or visitor to the school.
- I. Attempting to damage or actually damaging school or private property. The school's disciplinary response may include restitution.
- J. Attempting to steal or actually stealing school or private property.

- K. Possessing or selling firearms, knives, explosives or other dangerous objects.
- L. Possessing, using, being under the influence, furnishing, or selling controlled substances, alcoholic beverages, intoxicants, or tobacco products of any kind (See policy 4980).
- M. Committing any serious offense against civil or church law.
- N. Violating any other school policy, procedure, or practice.

The school may require an apology and restitution by any student violating this code of conduct by harming or destroying any property or the reputation and good name of any other person involved.

#### **4911 CODE OF CONDUCT COVERING STUDENTS AND PARENTS/GUARDIANS**

Parents who desire a quality academic, Catholic, and morally-based education for their children can best achieve this goal when the students, parents and school officials work cooperatively together. Normally, differences 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 from the school (See policies 4960 and 4961).

Condition of Enrollment for Students: It is a condition of enrollment that every student behaves in a manner, both on and off campus, which is consistent with the philosophy and Catholic 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 (See policy 4911).

Condition of Enrollment for Parents/Guardians: It is a condition of enrollment that the parents/guardians of a student shall also conform to standards of conduct that are consistent with the philosophy and Catholic 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 Catholic principles further include, but are not limited to, the following:

- A. Parents/guardians are expected to work courteously and cooperatively with the school to assist the student in meeting the academic, religious, moral, and behavioral expectations of the school.
- B. 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.
- C. These expectations for students and parents/guardians include, but are not limited to, all school-sponsored programs and events (e.g. extended care, licensed child care programs, athletics, field trips, etc.)

The school reserves the right to determine, in its discretion, which actions fall short of meeting the philosophy and Catholic principles of the school. Depending on the severity and circumstances of the event, failure to follow the school's philosophy and principles will normally result in verbal or written warning to the student and or parent/guardian. For serious violations of the school's philosophy and principles, the school's response may result in disciplinary actions up to and including the requirement to withdraw from the school (e.g. suspension of a student or suspension of parent/guardian's privilege to come on the campus grounds and/or participate in parish/school activities, volunteer work, etc. – See policies 4790 and 4900ff).

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 (See policies 4950, 4951, 4960, and 4961).

#### **4920 DETENTION**

A student may serve a detention before, during, or after school, or on non-school days for a violation of school regulations. Each school shall define its own policies concerning detention which shall at a minimum include:

- A. A statement indicating that the length of detention should not be excessive. Detention should be proportionate with the act committed. A school day detention would normally not exceed thirty minutes for elementary students or the length of a class period for high school students. Non-school day detentions may be longer as determined by school officials.
- B. Detentions to be served outside of school hours shall only be allowed when parents have been given advanced notice.



- C. Detention may be postponed for good cause as determined by authorized school officials.

#### **4930 ACADEMIC AND DISCIPLINARY PROBATION**

---

A student may be placed on probation for either academic deficiency or for misconduct. Each school shall define its own policies concerning probation which shall at a minimum include:

- A. Before formal probation is given, a conference with the student, the student's parents or guardian, and a school official shall be held.
- B. After the conference and if probation is judged necessary by the school, the student and the student's 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.
- C. Efforts should be made to assist the student through constructive counseling in order to forestall further sanctions.
- D. All probations must be approved by the principal or delegated representative.
- E. Written record of student probation shall be kept for reference should more serious academic or disciplinary actions become necessary.

#### **4940 SUSPENSION**

---

A student may be suspended for either serious misconduct or for continuing misconduct after having been placed on probation (See policy 4941).

A suspension may assume the following forms or a combination of them:

- A. Non-privilege suspension where the student loses the right to participate in any non-class-related school activity on or off campus.
- B. On campus suspension where the student is required to report to a specific place on campus during school time. The student shall be assigned academic work to make up for the loss of class time.
- C. Home suspension: The student may be sent home for the entire period of suspension. The student shall be assigned academic work to make up for the loss of class time. Home suspension should generally not exceed five (5) school days.

#### **4941 SUSPENSION PROCEDURES**

Each school shall define its own policies concerning suspension which shall at a minimum include:

- A. Normal Suspension:
  - 1. Notice: A school official shall notify in writing the student and the student's parents or guardian of possible suspension, of what school regulation has been violated, and of the evidence that has led the school to reasonably believe that the student was involved in the breaking of a school regulation.
  - 2. Conference: A conference shall be conducted by the school's principal or delegate regarding the student's possible suspension. The student, the student's parents or guardian, the school's pastor or rector, and appropriate school personnel shall be invited to this conference. At this conference, the student shall be afforded the opportunity to explain his/her understanding of the infraction. After the conference the student, the student's parents or guardian, and the diocesan Superintendent of Catholic Schools shall be informed in writing of the following:
    - (a) The principal's decision and justification for suspending or not suspending the student.
    - (b) If the student is suspended, the reason for the suspension, the length of the suspension, and any other disciplinary actions or requirements of the school including probation, restitution, etc.
- B. Emergency Suspension: The principal or delegate may, without following the steps included in "Normal Suspension," impose an immediate suspension on a student when, in the judgment of the principal or delegate, such critical, emergency action is in the best immediate interest of the student, any other student, members of the school staff, visitors to the school, or the general good of the school. In "emergency suspension" situations, the procedures required in "Normal Suspension" shall be followed as soon as practical after the emergency condition has subsided.
- C. Right to Appeal: The student's parents or guardian or the student with parental permission may appeal the principal's decision to the pastor/rector of the school in writing within three (3) school days of the principal's decision. During an appeal, the pastor/rector may postpone the suspension.

- D. Written Record: A written record of the procedures followed in the suspension process shall be kept for reference should more serious disciplinary action become necessary.

## **4950 EXPULSION**

---

A student may be expelled for continuing misconduct (after having been placed on probation and/or suspension) or for a serious misconduct. Some examples of serious misconducts include, but are not limited to, disobedience, insubordination, or disrespect for authority; threatening or causing physical or emotional injury; possession of a weapon or other dangerous object; possession of or ingestion a substance which is not legally possessed by the student under the laws of the State of California; etc. (See also policy 4980 regarding substance abuse.)

The school shall judge the need to expel a student on a case-by-case basis. The school shall determine whether an expulsion is appropriate based upon the student's prior disciplinary record, the circumstances involved in the disciplinary offense, the gravity of the offense, and the safety of the student and others.

Expulsion is the permanent removal of a student from the school. Expulsion is a school disciplinary sanction that should be used rarely and for clear and serious cause.

## **4951 EXPULSION PROCEDURES**

Each school shall define its own policies concerning expulsion which shall at a minimum include:

A. Cases Involving Continuing Misconduct:

1. Notice: The school's principal shall notify in writing the student and the student's parents or guardian of possible expulsion, of what pattern of behavior has led the school to believe that expulsion is appropriate, and of the evidence upon which this assessment is based.
2. Conference: A conference shall be conducted by the school's principal regarding the possible expulsion. The student, the student's parents or guardian, the school's pastor or rector, and appropriate school personnel shall be invited to this conference. At this conference the student shall be afforded the opportunity to explain why he/she believes that expulsion is not warranted and/or how he/she will change or improve his/her behavior so that expulsion will not be necessary. After the conference the student, the student's parents or guardian, and the diocesan Superintendent of Catholic Schools shall be informed in writing of the following:
  - (a) The principal's decision and justification for expelling or not expelling the student and the pastor's/rector's concurrence with this decision.
  - (b) If the student is not expelled, the principal shall determine any other disciplinary actions or requirements of the school including probation, suspension, restitution, etc.

B. Cases Involving Serious Misconduct: The principal or delegate may, without following the steps included in "Cases Involving Continuing Misconduct," impose an immediate suspension on a student when, in the judgment of the principal or delegate based on the seriousness of the misconduct, such critical, emergency action is in the best immediate interest of the student, any other student, members of the school staff, visitors to the school, or the general good of the school. In "Cases Involving Serious Misconduct" situations, the procedures required in "Cases Involving Continuing Misconduct" shall be followed as soon as practical after the emergency condition has subsided.

C. Student Withdrawn from School during Expulsion Process:

1. Withdrawal with Expulsion Process Concluded: In serious cases of misconduct where there is a question as to the future safety of the student or others, the school will complete the expulsion procedures even if the parents or guardian have removed the student from the school. If the student is formally expelled, the student's records will indicate that "the student was withdrawn from the school by a parent or guardian and expelled for cause."
2. Withdrawal with Expulsion Process Not Concluded: On a case-by-case basis involving less serious causes for expulsion, the school may discontinue the expulsion process when the child's parents or guardians voluntarily withdraw their child from school before the process is concluded. If the school allows a voluntary withdrawal for a particular student, the student's records will indicate that "the student was voluntarily withdrawn from the school by a parent or guardian after expulsion proceedings were initiated."

D. Right to Appeal: The student's parents or guardian or the student with parental permission may appeal the

principal's decision to expel the student to the diocesan Superintendent of Catholic Schools in writing by registered mail within three (3) school days of the principal's decision. During an appeal process, the expulsion shall be postponed, but the student may be suspended as determined by the principal.

- E. Written Record: A written record of the procedures followed in the expulsion process shall be kept.

#### **4960 RECOMMENDED TRANSFER**

---

A Recommended Transfer is the school's decision to permanently remove a student from the school without the stigma of a formal expulsion.

##### Reasons Why a School May Transfer a Student:

- A. The student will not profit from continued attendance (e.g. severe academic deficiency, emotional instability, etc.). In cases of severe academic deficiency, the school may only impose a Recommended Transfer after having previously placed the student on Academic Probation (See policy 4931).
- B. The student's continued attendance will make demands upon the school which the school cannot meet.
- C. The student's parents or guardian have failed to meet their obligations to the school that they accepted upon enrolling their child (e.g. failure to meet their tuition commitment as contracted with the school, etc.).
- D. The student's parents or guardian have failed to cooperate with the school staff and have not complied with the school's policies, practices, or programs (e.g. interfering with the school's administrative functions or disciplinary actions, etc.).

#### **4961 RECOMMENDED TRANSFER PROCEDURES**

Each school shall define its own policies concerning Recommended Transfer which shall at a minimum include:

- A. Notice: The school's principal shall notify in writing the student's parents or guardian, and the student if appropriate, of the possible Recommended Transfer, of what has led the school to believe that Recommended Transfer is appropriate, and of the grounds upon which this assessment is based.
- B. Conference: A conference shall be conducted by the school's principal regarding the possible Recommended Transfer. The student's parents or guardian, the student if appropriate, the school's pastor or rector, and appropriate school personnel shall be invited to this conference. At this conference the student and/or the student's parents or guardian shall be afforded the opportunity to explain why they believe that a Recommended Transfer is not warranted. After the conference the parents or guardian, the student if appropriate, and the diocesan Superintendent of Catholic Schools shall be informed in writing of the following:
  - 1. The principal's decision and justification for giving or not giving a Recommended Transfer and the pastor's/rector's concurrence with this decision.
  - 2. If the student is not transferred, the principal shall determine any other actions or requirements of the school.
- C. Right to Appeal: The student's parents or guardian or the student, with parental permission, may appeal the principal's decision to transfer the student to the diocesan Superintendent of Catholic Schools in writing by registered mail within three (3) school days of the principal's decision. During an appeal, the student may be temporarily removed from school as determined by the principal.
- D. Written Record: A written record of the procedures followed in the Recommended Transfer process shall be kept.

#### **4970 SPECIAL REGULATIONS**

---

##### **4971 PREGNANCY AND ABORTION**

In accordance with the teaching of the Catholic Church, Catholic schools hold that life is a God-given gift and is sacred. Life is to be respected and preserved. Therefore, Catholic schools encourage a pregnant student to continue the pregnancy to full term and delivery. Abortion is not an acceptable alternative.

In the event of a student's pregnancy, the principal, in consultation with the student, her parent or legal guardian, the school's pastor, and the Superintendent of Catholic Schools, may, on a case-by-case basis, allow the pregnant student to continue her studies at the school. As two of the conditions established by the principal for

continued enrollment:

- A. The student's parents shall provide the student formal counseling;
- B. The student's parents shall provide the school a medical release(s) in order to protect the health of the mother and child.

If any student has admitted to the school to have fathered a child or to have had an abortion, the principal, in consultation with the student, the student's parent or legal guardian, the school's pastor, and the Superintendent of Catholic Schools, may, on a case-by-case basis, allow this student to continue to be enrolled at the school. As one of the conditions established by the principal for continued enrollment, the student's parents shall provide the student formal counseling.

#### **4972 MARRIED STUDENTS**

Married students shall not be admitted to a diocesan school. Students who marry while enrolled shall be removed from the school since the terms of the enrollment agreement have been altered.

#### **4973 WORK PERMITS**

For all minors, permits to work are obtainable 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.

#### **4980 SUBSTANCE ABUSE**

Each Catholic school shall define its own general policies concerning the management of student substance abuse including whether all students suspected of or involved in substance abuse shall be automatically considered for expulsion (see policy 4950ff) or whether the school is willing on a case-by-case basis to retain students in school under certain treatment and supervision stipulations.

If a school decides on a case-by-case basis to retain in school a student involved with substance abuse, the following conditions shall be met:

- A. The student and his/her parents/guardians must be willing to follow and cooperate with the school's procedures and actions regarding substance abuse;
- B. The student must continually make reasonable progress towards wellness as determined by the school in consultation with a substance abuse treatment program; and

The student must not have been involved in furnishing or selling controlled substances, alcoholic beverages, or intoxicants. Furnishing or selling controlled substances, alcoholic beverages, or intoxicants whether for money, barter, or for any other reason on or near the campus or at any school function shall be considered a serious misconduct (See "Cases Involving Serious Misconduct" in policy 4951).

#### **4981 SUBSTANCE ABUSE PROCEDURES**

Secondary schools shall define their own procedures concerning the management of substance abuse. The Diocese of Fresno must approve these procedures. Elementary schools shall abide by the following procedures:

- A. Faculty and Staff Reporting: Whenever a faculty or other staff member suspects or is concerned that a student may possess, be using, be under the influence, be furnishing, or selling controlled substances, alcoholic beverages, intoxicants, or drug paraphernalia, he/she shall notify the school's administration.
- B. Initial Administrative Investigation: Upon receiving the above-mentioned notification, the school's administration shall initiate an investigation by:
  - 1. Gathering information and any physical evidence (See policy 4821);
  - 2. Interviewing each student suspected of involvement; and
  - 3. Interviewing witnesses and any other collaborative parties.

If the investigation indicates that a student may be under the influence of or in possession of a controlled substance, the administration shall immediately notify the student's parents/guardians. Depending on the

severity of the incident, on a case-by-case basis, a school's administrator may also at his/her discretion notify the police (See policy 8530).

- C. Parent/Guardian Notification and Professional Assessment: If the school's investigation indicates or confirms a student's involvement with an illegal or controlled substance, the administration shall:
1. Notify the student's parents or guardians of the school's initial assessment;
  2. Request the student's parents/guardians at their family's expense have the student assessed by a school-approved substance abuse treatment program to determine the student's use and level of use or non-use of controlled substances. If recommended by the treatment program, this assessment may include a toxicology screening; and
  3. Request both the student and the student's parents/guardians to formally release the substance abuse treatment program to give written and oral reports to the school of its assessment and recommendations for treatment regarding the student's use of illegal or controlled substances. The school should receive these reports within five (5) working days of the "request" made above.
- D. School Response: The school's assessment of substance abuse and, if available, any substance abuse assessment and recommendations for treatment from a school-approved substance abuse treatment program shall assist the school in determining its response. The school shall follow its general substance abuse policies and may select any of the following possible responses: Probation, Suspension, Expulsion, and/or Recommended Transfer (See policies 4900 and following).
- If the school does allow on a case-by-case basis the retention in school of a student involved in substance abuse, the school may also include in its response any of the following additional requirements depending on the severity of the incident:
1. That the student must maintain good attendance and specified academic performance;
  2. That the student must undergo periodic and random, school-determined toxicology screening at the family's expense;
  3. That the student must participate in and complete a treatment program at the family's expense; and/or
  4. That the student and/or the student's family receive counseling support at the family's expense.

Note: The suspicion of substance abuse is not an accusation of use and is not a disciplinary matter as such. However, the school reserves the right to investigate all incidents of suspected substance abuse.

## SERIES 5000 INSTRUCTIONAL PROGRAM

<b>INTEGRATED CURRICULUM</b>	<b>5100</b>
GOALS AND OBJECTIVES .....	5110
PASTOR.....	5111
PRINCIPAL .....	5112
INSTRUCTIONAL STAFF .....	5113
PARENTS .....	5114
STUDENTS.....	5115
RELIGIOUS EDUCATION .....	5120
DIOCESAN OBJECTIVE .....	5121
RELIGION COORDINATOR.....	5122
TEACHER RESPONSIBILITY.....	5123
PARENT INVOLVEMENT .....	5124
RELIGIOUS EDUCATION PROGRAM.....	5125
TEXTBOOKS.....	5125.1
SACRAMENTAL PREPARATION.....	5125.2
FAMILY LIFE PROGRAM.....	5125.3
SOCIAL JUSTICE.....	5125.4
LITURGY AND PRAYER.....	5125.5
RELIGIOUS SYMBOL .....	5125.6
STUDENT RETREATS .....	5125.7
GENERAL EDUCATION .....	5130
CURRICULUM .....	5131
CURRICULUM PLANNING .....	5131.1
REQUIREMENTS .....	5132
SAFE ENVIRONMENT TRAINING FOR STUDENTS .....	5132.1
REQUIRED SUBJECTS – ELEMENTARY SCHOOLS.....	5132.2
REQUIRED SUBJECTS – SECONDARY SCHOOLS.....	5132.3
GRADUATION REQUIREMENTS – ELEMENTARY SCHOOLS.....	5132.4
GRADUATION REQUIREMENTS – SECONDARY SCHOOLS .....	5132.5
ACADEMIC FREEDOM - CONTROVERSIAL ISSUES .....	5136
EXTRA CLASS ACTIVITIES .....	5140
ASSEMBLIES, PUBLIC PROGRAMS, AND PERFORMANCES.....	5141
FIELD TRIPS.....	5142
STUDENT TRIPS.....	5143
SCHOOL SPORTS PROGRAM.....	5144
PUBLICATIONS .....	5145
STUDENT GOVERNMENT .....	5146
<b>INSTRUCTIONAL OPERATIONS</b>	<b>5200</b>
SCHOOL CALENDAR AND PROGRAMMING .....	5210
NORMAL SCHOOL DAY AND SCHEDULE .....	5211
MINIMUM SCHOOL DAY.....	5212
INSTRUCTIONAL DAY FOR TEACHERS.....	5213
TEACHER IN-SERVICE DAYS.....	5214
EVALUATION OF SCHOOLS.....	5215
INSTRUCTIONAL ORGANIZATION .....	5220

CLASS SIZE.....	5221
CLASSROOM ARRANGEMENT .....	5222
LESSON PLANS .....	5223
GROUPING.....	5224
HOMEWORK.....	5225
ELECTIVES.....	5226
CEREMONIES AND OBSERVANCES.....	5230
PATRIOTIC SYMBOLS.....	5231
<b>INSTRUCTIONAL MATERIALS AND RESOURCES</b>	<b>5300</b>
BOOKS.....	5310
TEXTBOOKS .....	5311
EVALUATION AND ADOPTION OF TEXTS.....	5311.1
LIBRARY BOOKS .....	5312
COPYRIGHT LAWS.....	5313
SUPPLIES AND OTHER MATERIALS.....	5320
EQUIPMENT AND SUPPLIES.....	5321
TECHNOLOGY RESOURCES .....	5322
ANIMALS IN THE CLASSROOM.....	5323
RESOURCES .....	5330
GOVERNMENT PROGRAMS .....	5331
TELEVISED PROGRAMMING .....	5332
COMMUNITY RESOURCES .....	5333
EDUCATIONAL SERVICES - COMMERCIAL.....	5334
<b>INSTRUCTIONAL SERVICES</b>	<b>5400</b>
PUPIL SERVICES .....	5410
STANDARDIZED TESTING.....	5411
GUIDANCE .....	5412
REFERRAL TO PUBLIC AGENCIES .....	5413
CURRICULUM EXTENSION.....	5420
EXTENSION AND CHILD CARE PROGRAMS .....	5421
HOME TUTORING.....	5422
ON-SITE SUMMER SCHOOL .....	5423

---

## 5000 INSTRUCTIONAL PROGRAM

*"While the home plays the most fundamental role in helping children develop, the school is the formal setting that educates the young members of society. The school provides this education through its program, its curriculum. A school's curriculum, established by the school community, consists of an evolving plan of sequential learning opportunities which enable a particular population to achieve goals by a means of varied experience."*

---

**5100 INTEGRATED CURRICULUM**

---

**5110 GOALS AND OBJECTIVES**

---

**5111 PASTOR**

The pastor shall ensure that a distinctive Christian educational environment is maintained and is characterized by learning experiences integrating religious values with intellectual knowledge.

**5112 PRINCIPAL**

The principal of each school is responsible for seeing that the goals and objectives of the school are effectively developed and implemented by the staff through the curriculum, the learning climate, and the learning experiences that provide for the development of each student (See policy 2224).

**5113 INSTRUCTIONAL STAFF**

The instructional staff must give particular attention to the scope, sequence, continuity, and integration of learning experiences in the basic learning skills.

**5114 PARENTS**

Parents shall be made cognizant of the philosophy and program of the school as they apply for the admission of a student. They should understand that enrollment constitutes agreement that the student be taught according to these goals (See policy 1210).

**5115 STUDENTS**

Students should be made aware that each has a God-given power to think, to judge, and to make decisions based on both intellectual and spiritual experiences (See policy 1210).

**5120 RELIGIOUS EDUCATION**

---

The educational mission of the Church requires that the Catholic school be distinguished by Christian atmosphere and a formal program that relates religious belief and practice with the normal development of children. The religious character and goals of the school should be clearly reflected in the statement of school philosophy.

**5121 DIOCESAN OBJECTIVE**

Religious education in the diocesan school has a three-fold objective:

- A. To facilitate the spiritual development of the student and to nurture the student's personal relationship with Christ.
- B. To build community through active participation in Christian service and through the promotion of global awareness.
- C. To develop enlightened Catholics through the academic knowledge of the faith.

**5122 RELIGION COORDINATOR**

The principal of each school shall appoint a religion coordinator who shall act as a resource person and liaison to insure that the religious education goals of the school are accomplished.



### **5123 TEACHER RESPONSIBILITY**

All teachers responsible for classroom instruction in religion have a responsibility to be certified in the area of religious education in keeping with diocesan guidelines, to be informed on the goals and objectives of the program, to support the role of parents as primary educators, and to correlate religion with other subjects through word and action.

### **5124 PARENT INVOLVEMENT**

The rights and obligations of parents shall be clearly reflected in a religious program which orientates them to the philosophy, objectives, and methods of the school's adopted program, which provides educational sessions for sacramental preparation and family life education, and which calls for direct involvement of the parents in the instruction of their children.

### **5125 RELIGIOUS EDUCATION PROGRAM**

Regular religious instruction shall be an integral part of the educational program for all students at all grade levels.

As such students progress in acquiring an intellectual grasp of the religion course material, they are to be tested, graded, and reported according to the same procedures established by the school for other subjects in the curriculum.

#### **5125.1 TEXTBOOKS**

All schools shall only use those religious education and Family Life education texts and textbook series that authentically teach the faith and values of the Catholic Church in an accurate, age-appropriate, and doctrinally and educationally sound manner. Only texts approved and recommended by the Bishop of the Diocese of Fresno shall be selected for use in Catholic schools.

Other religious education and Family Life Education texts, as they are in accord with the authentic magisterium of the Church, may be used as supplementary texts.

#### **5125.2 SACRAMENTAL PREPARATION**

The sacraments of Eucharist and Reconciliation are distinct sacraments. As such, each sacrament will receive its own concentrated preparation, separated from the other by an appropriate interval. The sacrament of Reconciliation should be celebrated prior to the reception of First Eucharist.

#### **5125.3 FAMILY LIFE PROGRAM**

Family Life education is an essential part of the curriculum of a Catholic school. Each school shall implement a comprehensive Family Life program that shall be taught as either a separate curriculum or integrated into the study of other appropriate subjects.

The Church recognizes the primacy of parents in the education of their children especially regarding the teaching of human sexuality. Since human sexuality is incorporated into any comprehensive Family Life program, parents who do not wish their children to participate during the genitally explicit segments of the Family Life instructional program shall petition in writing the principal to remove their children during such instruction.

Parents who do withdraw their children from the genitally explicit segments of the Family Life program shall be notified when these segments are taught. They will also be encouraged to provide their children a human sexuality education within the family setting.

The school shall notify parents at the beginning of each school year what options they have regarding the Family Life Program.

Parents shall be encouraged by the school to be actively involved in the formation, implementation, and evaluation of the Family Life program.

#### **5125.4 SOCIAL JUSTICE**

General characteristics of a social justice program should reflect an authentic involvement in faith and justice education. It is appropriate that its tenets be integrated throughout the curriculum and be suitable to the age of the student.

#### **5125.5 LITURGY AND PRAYER**

Regular planned liturgical and para liturgical experiences shall be carefully integrated into the school program. Time shall be given each day to formal and spontaneous prayer. It is imperative that students learn the formula of prayers commonly used by Catholics.

#### **5125.6 RELIGIOUS SYMBOL**

A crucifix shall be displayed in every classroom.

#### **5125.7 STUDENT RETREATS**

Elementary and secondary school retreats are highly recommended and encouraged. Programming for retreat days shall be the responsibility of the local administration and faculty.

### **5130 GENERAL EDUCATION**

---

#### **5131 CURRICULUM**

The school curriculum encompasses all the learning experiences planned and directed under the leadership of the principal. They are to be compatible with diocesan policy and the school philosophy. Along with religious instruction, each school shall provide a general education curriculum that satisfies private school requirements of the California Educational Code.

The curriculum should:

- A. Give witness to the message of Christ as it is revealed through a formal program integrating religious belief and practice.
- B. Provide an informational framework that will prepare the student to live in the twenty-first century by developing the life-learning tools of communication, problem solving, and decision making.
- C. Encourage each student to develop his/her potential through responsibility and accountability to self.
- D. Affirm ethnic pride, appreciate cultural values, and allow diversity when applying the principles of peace and justice.
- E. Integrate parent and community talent into the school program through specifically defined roles for which they will be prepared, made responsible, and held accountable.

##### **5131.1 CURRICULUM PLANNING**

- A. The Office of Catholic Education has the responsibility for enabling schools to develop a process whereby instructional programs can be evaluated within the schools of the diocese.
- B. Diocesan Curriculum Committees of teachers and administrators shall at times be appointed:
  1. To establish guidelines for the selection of textbooks which reflect a Catholic philosophy of education.
  2. To review textbooks and materials and make recommendations concerning their use.
- C. The principal, in consultation with the faculty, is responsible for arranging a well-balanced curriculum including religious, academic, social, service, and athletic activities for the school. Local school program planning and textbook selection shall be conducted by defining clearly the school's philosophy, the needs of individual students, the school's organizational pattern, the strengths of the faculty, budgetary limitations, and diocesan guidelines.
- D. Every secondary school shall have a curriculum committee to assist and advise the principal in his/her responsibility for maintaining a balanced curriculum.

## **5132 REQUIREMENTS**

### **5132.1 SAFE ENVIRONMENT TRAINING FOR STUDENTS**

All K–12 students are required to be annually instructed in age-appropriate, diocesan approved, Safe Environment curriculum using the “Keeping the Promise” lesson plans. Instruction using any other lessons other than those in “Keeping the Promise,” must be approved by the Safe Environment Office.

The K – 12 Safe Environment lessons should be scheduled during the fall semester. Every effort should be made to provide make-up sessions and/or one-on-one tutoring for students who were absent when the lesson was initially presented.

Verification of the annual Safe Environment training is reported in the “Principal’s Annual SE Report.”

### **5132.2 REQUIRED SUBJECTS – ELEMENTARY SCHOOLS**

The curriculum for grades transitional kindergarten through eight shall include instruction in the following areas: Religion, Reading and Literature, English, Spelling, Mathematics, Computer Education, Science, Health, Social Studies, Safety (including the diocesan Safe Environment Curriculum), Handwriting, Art, Music, and Physical Education. Family Life education is to be correlated with the appropriate subjects (See policy 5125 and following).

Within the curriculum, students shall receive age appropriate instruction on current health and disease issues in accord with the teaching magisterium of the Catholic Church.

### **5132.3 REQUIRED SUBJECTS – SECONDARY SCHOOLS**

The curriculum for grades nine through twelve shall include the following areas: Religion, English, Foreign Language, Mathematics, Science, Social Science, Health Education, Safety (including the diocesan Safe Environment Curriculum), Physical Education and the Arts. Technology Computer Education is an additional offering to be encouraged. Minimum requirements are to be established in accordance with state guidelines.

### **5132.4 GRADUATION REQUIREMENTS – ELEMENTARY SCHOOLS**

A complete list of graduation requirements shall be established and published by each school in the parent/student handbooks and made available to all students and their parents (See Policy 4550).

### **5132.5 GRADUATION REQUIREMENTS – SECONDARY SCHOOLS**

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 (See Policy 4550).

## **5136 ACADEMIC FREEDOM - CONTROVERSIAL ISSUES**

In training for effective citizenship, it is frequently necessary for students to study issues that are controversial. In considering such issues, it shall be the purpose of the schools to recognize the student's right and/or obligation:

- A. To study conflict issues under a competent instructor in an atmosphere of freedom and mutual respect.
- B. To receive adequate instruction regarding the teachings of the Church.
- C. To study conflict issues at the level of the student's understanding.
- D. To form and express a judgment on a conflict issue without thereby jeopardizing his/her relation with the teacher, students, or the school.

The Principal shall:

- A. Notify pastor of any issue that might be considered controversial;
- B. Notify parents of intent to provide opportunity for study of controversial issues;

- C. Provide clear guidelines and safeguards for the study of conflict issues, selection of materials, use of off-campus speakers, and any other elements that are deemed potentially controversial;
- D. Protect and support teachers when unjustifiable complaints, requests and demands are made; and
- E. Establish procedures that can be used to evaluate criticism.

Teachers shall:

- A. Keep the principal fully informed of the treatment of controversial issues and any parental or community reaction to the handling of such issues;
- B. Deal with conflict issues as impartially and as objectively as possible, recognize and, where necessary, acknowledge personal biases;
- C. Handle all such topics in a manner suited to the range of knowledge maturity and competence of the students;
- D. Have teaching materials dealing with all possible aspects of the topics readily available according to the age and maturity of the students; and
- E. Supply information to the principal concerning the nature any controversial topic for approval prior to sending such information to parents.

#### **5140 EXTRA CLASS 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 which would interfere with the student's academic progress.

#### **5141 ASSEMBLIES, PUBLIC PROGRAMS, AND PERFORMANCES**

A school should provide opportunities for assemblies, public programs, and performances by school groups in educationally sound activities which benefit the students, the school, and the community.

#### **5142 FIELD TRIPS**

Field trips provide students with an extension to the regular classroom and, therefore, are encouraged. A field trip should flow naturally from a particular area of study or provide a learning opportunity that cannot be provided within the confines of the classroom. All field trips must be reviewed and approved by the school's administration and the diocesan Insurance Office (see policies 5143 and 6600ff).

#### **5143 STUDENT TRIPS**

A student trip is defined as any field trip that requires an overnight or longer stay. All school-sponsored student trips must:

- A. Be clearly identified as focused on the school mission and curriculum.
- B. Provide safe and reliable transportation.
- C. Provide adequate and appropriate housing and meals.
- D. Provide adequate and appropriate student supervision. All employees and volunteers who supervise student trips must have on file fingerprint clearance (see policies 3620ff).
- E. Be reviewed and approved by the school's administration and the diocesan Insurance Office.
- F. Ensure that any student who is unable to attend the student trip for a health or monetary reason acceptable to the school shall not suffer any adverse academic consequence.

No solicitation, advertising, planning, fundraising, or any other business related to a non-school-sponsored student trip shall be conducted on campus.

No non-school-sponsored student trip shall directly or indirectly imply that it is a school-sponsored activity nor shall it use the school's name, letterhead, logos, uniforms, or any other school identification in any publication or activity.

#### **5144 SCHOOL SPORTS PROGRAM**

The school sports program shall be proportionate to the students' needs, interests, and abilities. It must not interfere with the normal routine of the school program, nor should it encourage practices contrary to good sportsmanship.

Whenever an elementary school provides a team(s) in a particular sport for only boys or for only girls, children of the opposite gender shall not qualify for this team(s) unless the school does not provide equal opportunities in the total sports program of the school for either gender. An equal opportunity exists when both males and females may participate in an equal number of sports during a school year (e.g. boys' participation in flag football is matched with girls' participation in volleyball).

#### **5145 PUBLICATIONS**

With the approval of the principal, each secondary school may establish a school newspaper/yearbook for the students of the school and their parents. Such publications should conform to standards of good journalism. It is strongly recommended that the local administration adopt rules and regulations in the form of a written publications 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.

#### **5146 STUDENT GOVERNMENT**

Student government deserves a place in the regular schedule of activities throughout all levels of education.

<b>5200 INSTRUCTIONAL OPERATIONS</b>
--------------------------------------

---

#### **5210 SCHOOL CALENDAR AND PROGRAMMING**

The Office of Catholic Education will issue an official school calendar annually. If local circumstances seem to warrant deviation from this calendar, the Office of Catholic Education shall be notified in writing. There shall be 180 days of actual teacher-student participation each year.

#### **5211 NORMAL SCHOOL DAY AND SCHEDULE**

Every elementary school shall organize its daily and weekly schedule on a pattern that is most appropriate for its educational program, provided that at least 300 minutes per day are scheduled for grades three through eight exclusive of opening and closing ceremonies. The total weekly time allotment indicated in the Principal's Guidebook is to be strictly observed.

#### **5212 MINIMUM SCHOOL DAY**

Minimum school days may be scheduled upon authorization of the Superintendent and should be indicated in the school calendar published at the beginning of the school year (See PGB).

#### **5213 INSTRUCTIONAL DAYS FOR TEACHERS**

On all days listed in the 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

Updated 130613

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.

#### **5214 TEACHER IN-SERVICE DAYS**

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

#### **5215 EVALUATION OF SCHOOLS**

Each school shall undergo a self evaluation process sponsored by WCEA/WASC. The purpose of this evaluation is to improve and maintain professional standards and to develop future planning. Recommendations made by the visiting committee shall be implemented with care (See PGB).

### **5220 INSTRUCTIONAL ORGANIZATION**

---

#### **5221 CLASS SIZE**

Transitional Kindergarten and Kindergarten class size should not exceed 25 students. At all other grade levels, class size should not exceed 35 students. In determining the number of students in a classroom, careful consideration shall be given to:

- A. The physical size of the room;
- B. The use of paraprofessionals;
- C. The heterogeneity of students requiring subgroups; and
- D. The management skills of the teacher.

#### **5222 CLASSROOM ARRANGEMENT**

Classroom should be arranged to provide a safe, pleasant, and stimulating environment, adaptable to a variety of learning modes and arrangements (See policy 4750).

#### **5223 LESSON PLANS**

All teachers shall develop lesson plans with clearly instructional objectives. The principal should review them weekly.

#### **5224 GROUPING**

To stimulate creative and independent thinking as well as to accommodate different student learning styles and abilities, schools are encouraged to use a variety of grouping patterns. Grouping should emphasize practice in skills, problem solving techniques, and specific instructional objectives drawn from the school continuum.

#### **5225 HOMEWORK**

Teachers should assign homework for purposes of reinforcing learning that has taken place at school and of fostering habits of independent study. Assignments should be given with consideration for students' varying ability levels. Parents shall be informed concerning the school's homework policy. The teacher should be sensitive to the home environment in which the student must do required assignments. Teachers in departmentalized situations should coordinate assignments.

Updated 130613

### **5226 ELECTIVES**

Electives are encouraged provided that: (a) they enhance the curriculum and (b) they are within reasonable staff and budget allocations.

### **5230 CEREMONIES AND OBSERVANCES**

---

Appropriate programs commemorating civic and religious observances shall be consistent with the educational goals of the school.

### **5231 PATRIOTIC SYMBOLS**

When school is in session, the American flag and the California State flag shall be on display outside the building, weather permitting. Each classroom shall display a suitable American flag.

<b>5300 INSTRUCTIONAL MATERIALS AND RESOURCES</b>
---

### **5310 BOOKS**

---

#### **5311 TEXTBOOKS**

The textbook series shall be selected in accordance with a procedure developed by the principal and faculty to assure the achievement of 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 strongly advised that the same basal textbook series be used sequentially in grades K-6 in core curriculum subjects. The exception to this pertains to schools using an approved individualized management system in reading, mathematics, or other basic subjects.

Principals shall provide teachers' manuals for every basal textbook series and every available supplementary set used as part of the instructional program. Supplementary resources should be selected in accordance with the general curriculum policy of school.

#### **5311.1 EVALUATION AND ADOPTION OF TEXTBOOKS**

Basal texts shall be reviewed and evaluated at least every 5 (five) years. Textbook series should be adopted after careful evaluation according to specific criteria. Care should be taken to eliminate the use of out-dated texts in classroom instruction (See PGB).

#### **5312 LIBRARY BOOKS**

An appropriate selection of printed materials and technology resources in a central library is a vital part of a school's instructional program. If a school does not have room for a central library, provision should be made for classroom libraries or centers.

Local criteria should be established for the selection of school and/or classroom library books. The materials selected shall be compatible with the educational goals of the school.

#### **5313 COPYRIGHT LAWS**

The duplication of materials covered by an exclusive copyright is subject to the specific guidelines and protections which accompany the copyright revision law. All faculty and staff members shall be knowledgeable concerning the law's provisions and guidelines.

## **5320 SUPPLIES AND OTHER MATERIALS**

---

### **5321 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.

### **5322 TECHNOLOGY RESOURCES**

Local criteria should be established for the selection of technology resources as acquisitions to a school resource center or classroom learning center. The resources selected shall be compatible with the educational goals of the school.

### **5323 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 are prohibited if it presents a health or safety hazard for students. Persons bringing animals into the school shall receive prior permission from the supervising teacher in consultation with the principal.

## **5330 RESOURCES**

---

### **5331 GOVERNMENT PROGRAMS**

In cooperation with local public agencies, diocesan 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, 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.
- C. Principals shall follow the detailed instructions issued periodically by the Office of Catholic Education pertaining to specific government programs.

### **5332 TELEVISED PROGRAMMING**

Schools shall utilize the services and programs offered by Channel 49 in accordance with local needs and curriculum program outlines.

### **5333 COMMUNITY RESOURCES**

The principal and instructional staff shall acquaint themselves with the range and quality of services offered by community agencies, both public and private. Care should be taken to verify the expertise of the person rendering service.

### **5334 EDUCATIONAL SERVICES - COMMERCIAL**

The student instruction is the responsibility of the school's faculty. Extra programs not directly related to or included in the required school subjects are left to the discretion of the local administrator. Nevertheless, no school contract for commercially provided educational services should be signed for any diocesan or parish school without the written approval of the Superintendent.



## **5400 INSTRUCTIONAL SERVICES**

---

### **5410 PUPIL SERVICES**

---

#### **5411 STANDARDIZED TESTING**

Each diocesan elementary and secondary school shall participate in the standardized testing programs established by the Office of Catholic Education to insure an objective evaluation of each student, class, and school's achievement and progress (See policy 4520 and PGB).

Neither the Office of Catholic Education nor any school shall release individual student test results to the public. A student's individual test scores shall be made available to the student's teachers and parent/guardian. These test scores shall be kept in the student's confidential CUM folder.

Each year the Office of Catholic Education will make public and publish the diocesan average test scores. Each school may decide whether to publish its own classroom averages or school results.

#### **5412 GUIDANCE**

Every teacher shall be concerned with guidance. Consequently, all teaching personnel shall have as much knowledge of the basic facts as needed concerning each student, including attitudes, abilities, and environment.

On the secondary level, student guidance shall be an integral part of the curriculum of the school. The guidance program shall concern itself not only with curricular problems and vocational aspirations and abilities, but also with personal and religious counseling.

#### **5413 REFERRAL TO PUBLIC AGENCIES**

Administrative and guidance personnel should not hesitate to refer students to appropriate public agencies when needed services are lacking in the Catholic school. Such referral shall only be done in cases where parental consent is obtained.

### **5420 CURRICULUM EXTENSION**

---

#### **5421 EXTENSION AND CHILD CARE PROGRAMS**

Extension programs are on-site, school operated programs of before-and-after school care, supervision, and enrichment which serve only children who are enrolled as regular students in grades TK-12<sup>th</sup> grade at the school. Under current state regulations, such programs are exempt from licensing requirements of the State Department of Social Services.

Preschool programs which serve pre-transitional kindergarten or kindergarten children on a full or part-time basis, and Day Care Programs, which provide care for children on a full or part-time basis and enroll children other than just the students of the parochial school, are subject to licensing requirements of the State Department of Social Services (See policy 9400 and following).

#### **5422 HOME TUTORING**

When a student will be confined to the home for a considerable period of time, he/she should be enrolled in the local public school district for that period of time, in order to obtain home tutoring.

Updated 130613

**5423 ON-SITE SUMMER SCHOOL**

A summer school program may be conducted only after consultation with the principal and approval of the pastor. Care should be taken to abide by the insurance regulations of the diocese. Teachers offering individual programs to students enrolled in the school must consult with the principal and receive the approval of pastor and principal for such programs.

## SERIES 6000 FISCAL MANAGEMENT

BUDGET .....	6100
BUDGET PREPARATION .....	6110
BUDGET APPROVAL .....	6120
BUDGET AMENDMENT.....	6130
SCHOOL INCOME .....	6200
TUITION RATES .....	6210
TUITION AGREEMENT .....	6211
TUITION ASSISTANCE .....	6212
ASSISTANCE FROM NEIGHBORING PARISHES.....	6212.1
TUITION POLICY FOR NON PARISHIONERS .....	6212.2
TUITION DELINQUENCY .....	6213
FINANCIAL OBLIGATIONS UPON TRANSFER .....	6214
FUND RAISING .....	6220
CONDUCT AND METHODS.....	6221
STATUS .....	6222
REQUIREMENTS .....	6223
GIFTS, GRANTS, AND BEQUESTS .....	6230
OTHER RECEIPTS .....	6240
MISCELLANEOUS COLLECTIONS AND CAMPAIGNS .....	6241
COMMERCIAL ENTERPRISES.....	6242
PARENT GROUPS' & OTHER SCHOOL ORGANIZATIONS' FUNDS .....	6243
SCHOLARSHIP FUND.....	6244
STUDENT ACTIVITY FUND .....	6245
BOOK RENTAL AND SUPPLIES .....	6250
FEES.....	6260
SERVICE FEES .....	6261
OTHER CHARGES.....	6262
SPECIAL FEES.....	6263
SCHOOL BUS OPERATION .....	6263.1
RESTRICTED FUNDS .....	6270
EXPLICIT RESTRICTIONS .....	6271
IMPLIED RESTRICTIONS .....	6272
LEGAL RESTRICTIONS.....	6273
EXPENDITURES .....	6300
EMPLOYEE COMPENSATION.....	6310
PAYROLL.....	6311
LEGAL AND BENEFIT OBLIGATIONS .....	6312

PURCHASING GUIDES .....	6320
PURCHASING PROCEDURES .....	6321
PAYING FOR GOODS AND SERVICES .....	6330
INCIDENTAL TEACHING SUPPLIES .....	6340
RELATIONS WITH VENDORS .....	6350
<b>ACCOUNTS .....</b>	<b>6400</b>
INTERNAL CONTROL .....	6410
SYSTEM .....	6420
FINANCIAL RECORDS .....	6430
FINANCIAL STATEMENTS .....	6440
INVENTORIES .....	6450
MONIES IN SCHOOL BUILDINGS .....	6460
PETTY CASH .....	6461
STUDENT ACTIVITY FUND .....	6462
BANKING .....	6470
BANKING/SAVING ACCOUNTS .....	6471
RECEIPTS .....	6472
EXPENDITURES .....	6473
REVOLVING FUND .....	6474
BORROWING .....	6475
<b>SALES TAX .....</b>	<b>6500</b>
TAXABLE AND NONTAXABLE FOOD ITEMS .....	6510
EXEMPTIONS FOR NONPROFIT PARENT ORGANIZATIONS .....	6520
FOOD SERVICE .....	6530
SCHOOL LUNCH AND/OR MILK PROGRAMS .....	6531
OPERATION .....	6532
<b>AUXILIARY AGENCIES .....</b>	<b>6600</b>
TRANSPORTATION .....	6610
SCREENING OF DRIVERS .....	6611
VEHICLE USE RULES .....	6612
TRANSPORTATION BY PUBLIC SCHOOL DISTRICT .....	6613
VOLUNTEERS FOR AUXILIARY AGENCIES .....	6620
<b>NON INSTRUCTIONAL OPERATIONS .....</b>	<b>6700</b>
RESPONSIBILITY FOR CLEANING, MAINTENANCE, AND SECURITY OF PLANT .....	6710
MAINTENANCE .....	6711

Updated 7/1/2014

USE OF SCHOOL FACILITIES .....	6712
POSTING OF SCHOOL FACILITIES .....	6713
SECURITY OF BUILDINGS AND GROUNDS .....	6714
KEYS .....	6714.1
EQUIPMENT IDENTIFICATION.....	6714.2
VANDALISM AND THEFT .....	6714.3
TELEPHONE .....	6720
GENERAL SAFETY.....	6730
INSURANCE.....	6740
LIABILITY .....	6741
VEHICLES.....	6742
STUDENTS.....	6743
PERSONNEL .....	6744
CLAIMS .....	6745
<hr/>	
CAPITAL OUTLAY.....	6800
<hr/>	
PURCHASE AND SALE OF PROPERTY .....	6810
SALE OF PROPERTY .....	6811
PURCHASE OF PROPERTY.....	6812
CONSTRUCTION, REMODELING, RENOVATION, FURNISHING .....	6820
GENERAL.....	6830

## 6000 FISCAL MANAGEMENT

*"An effective bookkeeping and budgeting system is needed in every parish elementary school for the following reasons:*

- A. To insure orderly financial management, displaying income and expenses in such a way as to focus attention on program priorities;*
- B. To provide financial information to administrators, school board members, and diocesan departments in a consistent, easy-to-understand and easy-to-use format; and*
- C. To provide assurance to the school's many publics that the school administration is responsible and exercising good stewardship."*

CATHOLIC SCHOOL MANAGEMENT

## 6100 BUDGET

### 6110 BUDGET PREPARATION

The financial administrator of each school will work with the School Board's Finance Committee to prepare an annual school budget that reflects the actual cost of maintaining the school. The proposed budget must conform to the diocesan Chart of Accounts and be prepared according to the calendar approved by the Diocese. Maintenance, utilities, janitorial, and other services that are used in conjunction with the parish plant should be prorated so that the budget is a true picture of education costs.

The proposed budget shall also anticipate future costs for deferred maintenance and the depreciation of capital improvement.

## **6120 BUDGET APPROVAL**

The proposed budget jointly prepared by the school's financial administrator and the school Board's Finance Committee shall be carefully reviewed by the school's Board of Education and, if approved, be submitted to school's pastor/rector for his approval. A copy of this pastor/rector-approved budget for the school will be submitted to the Diocesan Superintendent of Catholic schools and the CFO of the Diocese of Fresno.

## **6130 BUDGET AMENDMENT**

The school's financial administrator has the grave responsibility of operating the school within the limits of the approved budget. Any significant deviation from any part of the approved budget requires the written authorization of the school's pastor/rector.

The school shall review and amend its school's budget by October 31 if the school's projected enrollment and tuition income estimates were significantly below the school's actual enrollment or tuition income.

## **6200 SCHOOL INCOME**

The normal sources of school income are tuition and fees. It is the responsibility of each school to generate the income necessary to operate and maintain the school. The pastor/rector has the final responsibility to comply with diocesan the policies, regulations, and practices. The major supplementary source of income for elementary schools is parish subsidy according to the resources of the parish together with fundraising and other advancement or development activities.

## **6210 TUITION RATE**

The pastor/rector and the school's financial administrator, in consultation with the local school board, shall establish the school's tuition schedule in conformity with diocesan policy.

The determination of the school's rates should be guided by the following principles:

- A. Within the limits imposed by the socio-economic character of the school's attendance area, serious effort shall be made to defray the actual per pupil cost of instruction by way of income from tuition, fees, gifts, bequests, endowments, foundation grants, alumni activities, and parent/student fund-raising.
- B. The actual per pupil tuition should be charged for each child in the family; however, the school may set discounted tuition rates for additional children from the same family.

## **6211 TUITION AGREEMENT**

Each school shall have a tuition assistance plan or program for "active and practicing Catholic families" unable to pay full tuition. This plan should be included in the parent/student handbook. The following guidelines should be included in each school's tuition assistance plan:

- A. The plan shall include a calendar with deadlines indicating when the FAIR application for tuition assistance must be submitted to be eligible for *Our Faith, Our Family, Our Future* tuition assistance and the eligibility deadline for school and parish supported tuition assistance. This calendar will also include the normal dates that each type of tuition assistance is awarded or denied.
- B. The confidentiality used in managing the private information contained in the FAIR tuition assistance application.
- C. The school's general criteria used to determine the financial need and tuition assistance granted to families.
- D. The requirement that tuition assistance is granted for one school year only and families must reapply each year to obtaining continuing tuition assistance.
- E. The general school rule for the maximum amount of tuition assistance awarded to each child shall be stated in the school's application. The general norm is not to award a family a full tuition grant.
- F. The encouragement of families of other parishes to seek tuition assistance from their pastor.

## **6212 TUITION ASSISTANCE**

Each school shall have a tuition assistance plan or program for “active and practicing Catholic families” unable to pay full tuition. This plan should be included in the parent/student handbook. The following guidelines should be included in each school’s tuition assistance plan:

- A. The plan shall include a calendar with deadlines indicating when the FAIR application for tuition assistance must be submitted to be eligible for *Our Faith, Our Family, Our Future* tuition assistance and the eligibility deadline for school and parish supported tuition assistance. This calendar will also include the normal dates that each type of tuition assistance is awarded or denied.
- B. The confidentiality used in managing the private information contained in the FAIR tuition assistance application.
- C. The school’s general criteria used to determine the financial need and tuition assistance granted to families.
- D. The requirement that tuition assistance is granted for one school year only and families must reapply each year to obtaining continuing tuition assistance.
- E. The general school rule for the maximum amount of tuition assistance awarded to each child shall be stated in the school’s application. The general norm is not to award a family a full tuition grant.
- F. The encouragement of families of other parishes to seek tuition assistance from their pastor.

### **6212.1 ASSISTANCE FROM NEIGHBORING PARISHES**

Families from a parish without a school who attend another parish's school may be charged a per pupil cost. The neighboring parish in which such families are registered and active is strongly encouraged to assist in paying on behalf of such families the differences between the parish and non-parish tuition rate.

### **6212.2 TUITION POLICY FOR NON-PARISHIONERS**

Schools may charge a different rate for “active and practicing Catholic families” who are registered in another parish when:

- A. The parish of residence makes no contribution to the support of the receiving school; and
- B. The nonresident families make no regular contribution to the general funds of the parish supporting the school.

Non-Catholic families may be expected to pay full per pupil cost for each child enrolled in the school. Any arrangements for reduction should be clearly identified in the school’s approved plan.

## **6213 TUITION DELINQUENCY**

The pastor/rector, principal and local boards are to exercise 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:

- A. Each school shall have a consistent, written policy detailing how financial delinquency will be handled.
- B. Each school shall publish its delinquency policy in the school handbook and shall bring it to the attention of parents well before decisive action is to be taken.
- C. "Pupil records" (transcripts/cumulative folder) shall not be withheld from requesting district because of any charges or fees owed by the pupil and/or parents. This applies to pupils in grades K-12 in both public and private schools." (Section 438C, Title V, CEC)
- D. Report cards may NOT be withheld from a student in a public forum that may cause embarrassment to the child. Report cards may normally be withheld from parents if their child's tuition account is not up to date. (See also policy 4230)

## **6214 FINANCIAL OBLIGATIONS UPON TRANSFER**

No student who has attended any Catholic elementary or secondary school within the Diocese of Fresno shall be allowed to transfer to any other diocesan elementary or secondary school until all financial obligations have been met at the student’s previous school. These financial obligations shall include, but not be limited to:

- A. Payment of all tuition and fees,
- B. Fines which may have been imposed in accordance with the rules of the previous school.

## **6220 FUND-RAISING EVENTS**

Schools traditionally help defray expenses and supplement basic school programs by fund-raising in the school community, parish community, and general community. The most common forms of fund-raising activities are: festivals and carnivals, programs, dinners, auctions, raffles, book fairs, product sales, etc. These fund-raising events are typically sponsored by parent groups and organizations, booster clubs, youth clubs, teachers, students, and members of the general school or parish community (for major fund-raising events see also policy 6243). If students will be involved in a particular fund-raising activity, the activity must be conducted in accord with diocesan Safe Environment guidelines.

No fund-raising activity or event shall be conducted without formal approval by the school's administrator and pastor (rector). To obtain the school's written authorization for a major fund-raising activity, the sponsor must submit a written fund-raising proposal to the school administrator using the "Fund-Raising Proposal" form that includes:

- A. The specific purpose for the fund-raising activity;
  - B. An outline and timeline of the proposed fund-raising activity;
  - C. The desired fund-raising monetary goal;
  - D. An initial working budget for the activity;
  - E. The checks and balances methods to be used to safeguard the funds (see policies 6400 ff); and
- A specific plan for using the funds to achieve the purpose of the activity.

## **6221 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 should conform to the fund-raising policies of the diocese and tasteful and moral standards appropriate for church activities.
- B. When questions of taste, judgment, or the image of the Church are involved, it is incumbent on the sponsors of the event to consult the pastor.
- C. It is expected that all fund-raising activities shall comply with any and all federal, state, and local laws and regulations including any tax filings and special licenses. Compliance to the diocesan insurance liability regulations is mandatory.
- D. Officials of private, diocesan, or inter-parochial 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.

## **6222 STATUS**

The sponsoring group at all times derives its tax-exempt status because it is a member of the Diocese of Fresno Education Corporation and is subject to diocesan 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.

## **6224 REQUIREMENTS**

- A. The need and purpose of any fund-raising must be clear and necessary.
- B. All funds raised should be applied to the stated purpose as soon as practical (See policies 6270, 6400, and following).
- C. Funds raised should not be allowed to accumulate without good and stated reason, and the approval of both the principal and the pastor.
- D. Restrictions stipulated by the donor or implicit in the solicitation must be scrupulously adhered to.
- E. Fund-raising should not take advantage of children or detract from the primary educational purposes of the student, class, or school.



## **6230 GIFTS, GRANTS, AND BEQUESTS**

---

Either the pastor or the principal may accept, on behalf of and for the school, any bequest, grant, or gift of money or property for a purpose deemed by them to be suitable. Suitability shall be determined according to the following criteria:

- A. The gift has a purpose consistent with that of the school.
- B. The gift does not begin a program which the school would be unwilling to assume when funds were exhausted.
- C. The gift does not bring undesirable or hidden costs to the school.
- D. The gift places no restriction on the school operation.
- E. The gift does not imply endorsement of any business or product.
- F. The gift is not inappropriate or harmful to the best education of the students.
- G. The gift is not in conflict with any provision of the California State School Code.

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 a diocesan high school.

## **6240 OTHER RECEIPTS**

---

### **6241 MISCELLANEOUS COLLECTIONS AND CAMPAIGNS**

Any solicitation or collection of money from students is subject to the regulations and provisions of this Handbook. Funds collected shall be used for the purposes publicized in advance of or at the time of solicitation.

### **6242 COMMERCIAL ENTERPRISES**

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. 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, the principal should scrutinize carefully the business practices or any such publisher with whom the school contracts.

### **6243 PARENT GROUPS' AND OTHER SCHOOL ORGANIZATIONS' FUNDS**

All major fund-raising activities must be approved by the school's administrator and pastor (rector). To obtain school approval, the sponsoring group or organization shall submit a written proposal as described in policy 6220 to the school administrator. The school administrator and school board shall review this proposal and shall make their recommendations to the pastor.

The management of all school approved fund-raising activities is an administrative function of the school. The school administrator shall work with the school's pastor to coordinate and integrate the fund-raising activities of the school and its organizations with those of the parish. See also policy 6220ff.

All funds raised by a local parent group or other school organization shall be used only for the purpose(s) approved by the pastor and principal. Every groups' or organizations' funds shall be managed according to diocesan policy and the group or organization's by-laws that must be approved by the pastor and Bishop. See also policies 6440 and 6471.

### **6244 SCHOLARSHIP FUND**

Each school shall establish a scholarship fund. The school should have published criteria and procedures for

Updated 7/1/2014

obtaining scholarships and should apply them consistently and equitably to all qualified recipients.

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.

#### **6245 STUDENT ACTIVITY FUND**

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

#### **6250 BOOK RENTAL AND SUPPLIES**

---

Each school should determine its need for books and supplies after due consideration of available monies as well as the need for:

- A. Religion and family life textbooks, teacher's manuals, and other basic instructional materials,
- B. Consumable materials, learning kits, duplicating materials, and pupil supplies,
- C. Books for libraries or resource centers,
- D. Audiovisual materials, computer materials, and supplies.

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.

#### **6260 FEES**

---

##### **6261 SERVICE FEES**

Fees for programs provided through the Office of Catholic Education will be announced annually (see 2150).

##### **6262 OTHER CHARGES**

Apart from tuition and annual per pupil fees as established by the Office of Catholic Education, no other charges or financial requirements may be made as a condition of admission, attendance, or reception of normal school services. However, the school's membership fee in the Parent Organization may be collected annually at the same time as student fees.

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 readmission to any pupil. It is recommended that school parents be made generally aware of the financial condition of the school and the extent of subsidies from the general funds of the parish.

##### **6263 SPECIAL FEES**

Fees for the activities and events of local school or parish programs, e.g., graduation, science lab fees, reception of Confirmation, 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.

For the fees for bus service, cafeteria service, extended care etc., ordinarily the charges shall not exceed the levels necessary to operate and maintain a self-supporting service.

##### **6263.1 SCHOOL BUS OPERATION**

Besides conforming to all applicable laws for school bus operation, anyone who charges for ridership must file with the proper authorities to operate a passenger stage (See policy 6610 and following).

## **6270 RESTRICTED FUNDS**

---

The fact and concept of restriction of funds is absolute, whether that restriction is specific or general. In rare and unusual cases, relief from an unrealistic restriction may be obtained through the diocesan Vicar General and the diocesan attorney.

### **6271 EXPLICIT RESTRICTIONS**

When funds are made available to the parish or to the school and those funds have been designated by the donor for a specific use or purpose, the funds are considered restricted and may not be used for any other purpose without the donor's written permission.

Funds given to the school or parish with the requirement that they be used at the discretion of the pastor or principal are to be considered as restricted. It is the responsibility of the recipient to specify the purpose for which the funds are to be used, to obtain the donor's consent, if possible, and to determine that the funds are expended for the designated purpose. This designation may be changed at a later date, but the donor's consent should again be solicited.

Special gifts shall not be channeled into ordinary operating budgets, except for special programs or facilities.

### **6272 IMPLIED RESTRICTIONS**

The restriction on any fund-raising can be implied as well as explicit. If the school, school-related organization, or the parish undertakes to raise funds for a specific purpose, then the announcement of that purpose at the time of solicitation establishes a restriction on the fund. Accordingly, in setting fund-raising goals, officials of school related organizations shall consult with the pastor and principal to avoid restricting major funds to purposes that do not merit priority in the school's special needs.

Funds raised in excess of what is needed to accomplish the restricted purposes are still obliged to be spent for those restricted purposes unless sufficient amounts of donated funds are released for another purpose by the donors.

### **6273 LEGAL RESTRICTIONS**

When funds are received through estates, wills, bequests, and probate distributions, any legal restrictions are to be met. Upon notification that the school has been named the beneficiary of an estate, an estate file is to be opened in the Chancery Office and all distribution papers are to be signed in the Chancery Office.

<b>6300 EXPENDITURES</b>
--------------------------

## **6310 EMPLOYEE COMPENSATION**

---

### **6311 PAYROLL**

It is the policy of the diocese that all salaries shall be paid by check to the school staff no later than the last working day of each month or period in which payment is due.

### **6312 LEGAL AND BENEFIT OBLIGATIONS**

In parish schools it is the responsibility of the pastor to observe the legal and financial requirements related to employee compensation according to the timeline and directives of the government and the diocese.

## **6320 PURCHASING GUIDES**

---

Ordinarily the principal is delegated to exercise the procurement function from 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 available to all classes.

## **6321 PURCHASING PROCEDURES**

- A. Within the limits defined by the approved school budget, the principal shall be responsible for all expenditures connected with the school.
- B. In parish schools, the pastor is urged to allow the principal to sign checks of less than \$300.
- C. No employee may obligate the school for any purchase without a requisition form signed by the principal or his/her delegate. Purchases in excess of \$300 must be approved by the pastor.

## **6330 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.

## **6340 INCIDENTAL TEACHING SUPPLIES**

---

In order to facilitate the purchase of necessary incidental teaching supplies, it is recommended that each elementary school principal budget, under classroom supplies, a specified amount for each classroom teacher. Its use shall be subject to local procedures.

## **6350 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.

<b>6400 ACCOUNTS</b>
----------------------

## **6410 INTERNAL CONTROL**

---

The chief administrator of each school shall establish a system of controls that will safeguard the school's resources and assure proper, correct, and complete recording of economic transactions. The system, in written form, shall include:

- A. Cash handling procedures,
- B. Purchasing procedures,
- C. Inventory procedures,
- D. Payroll procedures, and
- E. Tuition billing and collection.

## **6420 SYSTEM**

---

All schools shall follow the standard accounting and payroll procedures established by the Diocese of Fresno. Schools shall process all school monies through checking and savings accounts designated for school use only (See policies 6470ff and 6471).

### **6430 FINANCIAL RECORDS**

---

Schools shall keep records of all financial transactions related to the school and keep them distinct from all other parish financial records. They are required to preserve the following records in a safe place for five (5) years:

- A. Payroll records
- B. Income tax W-2 forms
- C. Canceled checks
- D. Bank statements
- E. Invoices
- F. Purchase orders
- G. Tuition and fee ledgers

Bank accounts and all financial records should be balanced monthly. They should be ready and available for inspection at any time.

All government programs (i.e. lunch, milk) require the keeping of special records which are kept on file for three (3) years.

Schools shall keep their ledgers permanently. They shall keep other financial records and receipts for the current year and the five previous years. These records include:

- A. Monthly financial reports
- B. Record of checks cashed
- C. Accounting ledgers

### **6440 FINANCIAL STATEMENTS**

---

- A. The school shall provide the following written financial statements:
  - 1. For the Pastor, principal, and school board: monthly and annual financial statements and any other requested reports
  - 2. For the Diocese of Fresno: monthly and annual financial statements on the diocesan provided forms and any other requested reports
- B. The school's parent group and all other school organizations shall provide the following written financial statements:
  - 1. For the Pastor, principal, and school board: monthly and/or quarterly financial statements as requested, an annual financial statement, and any other requested reports
  - 2. For the Diocese of Fresno: annual financial statements on the diocesan provided forms and any other requested reports
- C. Copies of these reports and statements are to be retained in the school's files for at least five years.

### **6450 INVENTORIES**

---

With the exception of consumable supplies such as paper, crayons, etc., a listing of all supplies and equipment by quantity, acquisition date and value shall be maintained and updated at least annually. This shall be done to maintain a record of assets and to provide documentation together with serial numbers in event of insurance claim. This record should be kept in a safe place entirely separate from the school building.

### **6460 MONIES IN SCHOOL BUILDINGS**

---

All school monies, other than necessary petty cash, shall be receipted, entered into the account book, and prepared for bank deposit. Large sums of money are never to be kept in the school building. Bank deposits should be made as frequently as practical, but at least once a week.

### **6461 PETTY CASH**

Reimbursement for petty cash shall be based on receipts or vouchers. The administrator shall place an upper limit on amounts charged to petty cash. Payments in excess of this limit, never more than fifty dollars (\$50), shall be made by check through the regular accounts. All petty cash funds shall be kept in a secure, private place

under the exclusive control of no more than two responsible persons.

#### **6462 STUDENT ACTIVITY FUND**

The collection of money for a Student Activity Fund always requires prior approval by the principal. The distribution of funds requires the authorization of the appointed moderator. This fund may be maintained in a separate account.

#### **6470 BANKING**

---

##### **6471 BANKING/SAVINGS ACCOUNTS**

All monies raised by Catholic schools and school organizations are raised in the name of the Church and, therefore, the Bishop and school pastors (rectors) as the Bishop's delegates are legally and canonically responsible to ensure that these funds are secure and are used for the intention for which they were raised.

As approved by the Pastor, separate banking and savings accounts shall be established exclusively for the school's and its organizations' funds according to the guidelines established by the Diocese of Fresno and the Diocese of Fresno Education Corporation. These guidelines require that:

- A. All checking and saving accounts established for a school and its organizations shall be under the name of "The Diocese of Fresno Education Corporation" and shall have added the name of the school and the school organization if applicable. No school or school organization accounts shall be established in the name of any individual, in the name of the principal, in the name of the school or school organization alone, or in the name of the pastor of the school parish. A corporate resolution authorizing the establishment of these accounts is available from the Bishop's office.
- B. All checking and saving accounts established for a school or its organizations shall include the following persons as authorized signers on the account: the Bishop of the Roman Catholic Diocese of Fresno, the Vicar General of the Roman Catholic Diocese of Fresno, and the pastor.
- C. Signature Requirements:
  1. **For School Accounts:** Only one signature is required for all transactions for the school's accounts. The persons authorized to sign on these accounts shall include the Bishop, Vicar General, and pastor. The pastor may authorize the school principal, associate priest, or other person to be a signatory on the school's accounts. No other person may be authorized to sign on school accounts without the expressed written permission of the Bishop. See also policies 6321 and 6330.
  2. **For School Organizations Accounts:** Two signatures shall be required for all transactions for accounts established for school organizations. At least one of these two signatures shall be the Bishop, Vicar General, pastor, principal, or the pastor's designee. With the pastor and principal's approval, school organization's officers may be the second signatories for school organization accounts.
- D. The tax identification number for all school or school organization accounts is 94-1347028. No other tax identification number may be used. This tax identification number may not be used for any other accounts without the expressed written permission of the Bishop.
- E. In accordance with diocesan guidelines, the school's Pastor, in consultation with the principal and the local school board, shall determine the maximum amount of money school organizations shall hold in local banking and savings accounts.

Pastors shall determine the number, types, and location of depository accounts for the schools under their jurisdiction. See also policy 6243 regarding school organizations.

##### **6472 RECEIPTS**

All receipts shall be deposited intact in the school's appropriate bank account.

##### **6473 EXPENDITURES**

Except for small cash outlays from a revolving petty cash fund, all expenditures shall be made by check.

**6474 REVOLVING FUND**

A revolving petty cash fund for small cash outlays may be established at a fixed amount usually not to exceed \$100. The receipts for cash outlays and the cash balance must always equal the fixed amount. The revolving fund shall be reimbursed by check for the total of the receipts submitted.

**6475 BORROWING**

No school, school board/education committee shall borrow money except through the processes established by the diocese.

<b>6500 SALES TAX</b>
-----------------------

Whenever the school sells books, supplies, uniforms, or any other tangible personal property for profit, 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 Office of Catholic Education must be consulted.

Each and every school engaged in sales for profit shall have on file at the Office of Catholic Education, a statement and description of any operation conducted for profit run by the school itself.

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.

**6510 TAXABLE AND NON-TAXABLE FOOD ITEMS**

Schools do not need a permit to sell meals or food products for human consumption except under the following conditions:

- A. When the school owns vending machines, part of the gross receipts is subject to tax. The amount is determined by current state sales and use tax regulations.
- B. When schools or student organizations sell food products to students or to both students and non-students within a place, the entrance to which is subject to an admission charge, such as a place where school athletic events are held, the sales to both groups are taxable.

**6520 EXEMPTIONS FOR NONPROFIT PARENT ORGANIZATIONS**

Nonprofit parent-teacher associations and equivalent organizations are consumers of tangible personal property which they sell, provided the profits are used exclusively in furtherance of the purposes of the organization. Consequently, sales of tangible personal property (rummage sales, cook books, etc.) and food products for the purpose mentioned above are exempt from sales tax.

**6530 FOOD SERVICE**

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

**6531 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.

Updated 7/1/2014

### **6532 OPERATION**

Each school shall comply with applicable health and safety code regulations regarding the operation of a food service. 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.

<b>6600 AUXILIARY AGENCIES</b>
--------------------------------

### **6610 TRANSPORTATION**

Schools are encouraged to reduce diocesan vehicle use and the transportation of students to a minimum. Whenever possible, schools should use chartered transportation for field trips and student activities (See policy 4800 and following).

### **6611 SCREENING OF DRIVERS**

- A. Employee Drivers: Before a school directs an employee to use a school-owned or personal vehicle for any reason including driving alone or transporting students, employees, or volunteers, the school shall screen that driver and have the driver annually complete the "Diocese of Fresno, Employee Driver Statement" which can be found in the "Diocese of Fresno HR and Risk Manual." All employee drivers must meet the requirements listed in this statement.
- B. Volunteer Drivers: Before a school allows a volunteer to use a personal vehicle for transporting students, employees, or other volunteers, the school shall screen that driver and have the driver annually complete the "Diocese of Fresno, Volunteer Driver Statement" which can be found in the "Diocese of Fresno HR and Risk Manual." All volunteer drivers must meet the requirements listed in this statement.

### **6612 VEHICLE USE RULES**

- A. School-Owned Vehicles and Busses: Only screened and designated diocesan employees may drive school-owned vehicles (see policy 6611). No volunteers may drive school-owned vehicles. Schools that provide school-owned bus service must have written permission from the Diocese to do so. To gain this permission, the school shall certify that it has met all of the regulations, laws, and licensing requirements of the State of California for transporting students. Under no circumstances shall a school operate a bus that is not in good operating condition, has not met all state requirements, and is not driven by a properly trained, screened, and licensed driver.
- B. Chartered or Public Schools Busses: The diocesan preferred method of transporting students for field trips and student activities is a properly certified chartered or a public school system's bus. Only chartered school bus companies (common carriers) who have a current "Certificate of Insurance" on file with the Diocese shall be used. Under no circumstances shall a school rent or borrow a bus and provide a driver.
- C. Personally-Owned Vehicles: When a school must use personally owned vehicles to provide transportation, the school shall require all drivers to be screened according to the requirements of policy 6611.

### **6613 TRANSPORTATION BY PUBLIC SCHOOL DISTRICT**

Public school districts may furnish transportation to non-public school children upon the same terms and in the same manner and over the same routes of travel as is permitted children attending the public school. The permission is not mandatory and allows only actual transportation to and from school.

### **6620 VOLUNTEERS FOR AUXILIARY AGENCIES**

Volunteers are not to be retained for carrying out auxiliary services unless the parish had the volunteer workers compensation insurance available through the Diocesan Insurance Administrator.



**6700 NON-INSTRUCTIONAL OPERATIONS**

**6710 RESPONSIBILITY FOR CLEANING, MAINTENANCE, & SECURITY OF PLANT**

An effective educational program requires clean, safe, business-like and attractive physical facilities.

- A. The principal is responsible for directing and supervising the custodial staff. He/she shall provide each custodian with a work schedule and shall carry on a continuous inspection of all buildings, equipment, playgrounds, and playground apparatus to discover conditions which might be dangerous to the health, safety, and comfort of the students or personnel. The principal shall make arrangements for the annual programs of safety inspection, renewal, replacement, and refurbishing for the school and its grounds.
- B. All personnel shall be responsible for the proper use of buildings, grounds, and equipment in the school.
- C. All personnel shall immediately report to the principal any defects in building, furniture or equipment which might prove injurious to the comfort, health or safety of teachers, students or other persons.
- D. All personnel shall assume responsibility for ensuring that the plant is secure from vandalism, burglary, fire hazard, and faulty equipment.
- E. It is recommended that all schools have both burglar and fire alarms and, if possible, tied into local fire and police departments.

**6711 MAINTENANCE**

Anyone retained to perform school repairs must provide status as an independent contractor by giving the license number and showing the certificate or liability insurance to the administrator in charge. Additionally, the independent contractor must provide a federal identification or social security number to facilitate reporting at year-end on form 1099.

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 Diocesan Building Commission and all local codes and regulations.

**6712 USE OF SCHOOL FACILITIES**

To guarantee the proper use of all school facilities, guidelines and procedures which respect both the primary character of the school as an educational institution and the legitimate needs of the local Catholic community shall be developed by the principal in conjunction with the local board/education committee and the pastor.

**6713 POSTING OF SCHOOL FACILITIES**

All school facilities must be clearly and visible posted as private property to limit civil liability.

**6714 SECURITY OF BUILDINGS AND GROUNDS**

Buildings constitute one of the greatest investments of the parish and diocese. 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:

- A. Minimizing fire hazards
- B. Reducing the probability of faulty equipment
- C. Guarding against the chance of electrical shock
- D. Protecting from natural hazards and elements
- E. Protecting from community elements such as traffic
- F. Keeping records and funds in a safe place
- G. Protecting against vandalism and burglary
- H. Protecting from intrusion by unauthorized persons
- I. 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 in the sense outlined above.

Updated 7/1/2014

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.

#### **6714.1 KEYS**

All keys used in a school shall be the responsibility of the principal. Requests for permanent issuance of the keys shall be granted 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 submaster keys. Master keys shall never be lent.

#### **6714.2 EQUIPMENT IDENTIFICATION**

The Office of Education strongly recommends that schools participate in Operation Identification, the state program implemented by all local sheriffs and police departments.

#### **6714.3 VANDALISM AND THEFT**

In the event of illegal entry, theft, vandalism, or damage to school property for which insurance claims in excess of \$100 will be filed, school administrators shall follow these procedures:

- A. Call the police to investigate the incident and to file a police report. A copy of the report must accompany all claims.
- B. In the event of significant damage or loss, call the Diocesan Insurance Administrator immediately. The diocesan 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 Diocesan Insurance Administrator.

#### **6720 TELEPHONE**

---

Every school should have a telephone in the school with a listed number. The principal shall see that the telephone is responsibly attended during all times that the school is in session, recess and noon periods included, and for a reasonable period of time before the opening and after the closing of class sessions.

#### **6730 GENERAL SAFETY**

---

All personnel shall report to the principal any defects in building, furniture or equipment which might prove injurious to the comfort, health or safety of teachers, students or other persons.

All directives issued by the Occupational Safety and Health Administration (OSHA) which apply to local parish schools must be followed. Difficulties in implementing this policy should be brought to the attention of the pastor. In the case of secondary schools, such compliance with OSHA directives shall be the responsibility of the principal.

Interior and exterior walking surfaces and school parking lots shall be illuminated and maintained in order to ensure the safety of school employees, students, and parents. Seating stands and all furniture shall be inspected and maintained in a safe condition.

When guard services are hired, it shall be determined that they have public liability insurance and that verification of coverage be given to the Chancery Personnel Office. Festival companies or other third parties hired to perform a service for the school shall provide similar verification of insurance.

#### **6740 INSURANCE**

---

The school principal and pastor shall be responsible for adequate insurance coverage for all buildings and their

Updated 7/1/2014

contents through the insurance program administered by the diocese. Any damage to property should be reported to the Diocesan Insurance Administrator.

The school shall inform the Diocesan Office of substantial additions to or deletions from insured property.

#### **6741 LIABILITY**

All activities sponsored by schools, whether on or off the premises, are covered by the diocesan liability insurance policy. All off premise activities must be properly supervised, clearly explained to parents, and written permission slips obtained for each field trip.

#### **6742 VEHICLES**

The Diocese of Fresno shall be responsible for adequate coverage for all school vehicles through the authorized diocesan insurance agent. The school shall inform the Diocesan Office of any change in the vehicular inventory.

Each school shall develop procedures by which it verifies that private vehicles, used in transporting students to and from school-sponsored activities or in school-sponsored car pools, have sufficient liability coverage in accord the diocesan regulations.

#### **6743 STUDENTS**

The Office of Catholic Education shall be responsible for accident insurance coverage for all students through the Diocesan Insurance Agent.

#### **6744 PERSONNEL**

Health Insurance Coverage for all eligible personnel is the responsibility of the Diocesan Insurance Administrator.

#### **6745 CLAIMS**

All automobile accidents, and other accidents involving serious injury and damage to buildings and contents of school, must be reported immediately to the Pastoral Office. The Pastoral Office reports directly to the Diocesan Insurance Administrator.

<b>6800 CAPITAL OUTLAY</b>
----------------------------

In order to insure a uniformity of action, legal protection and satisfactory workmanship, the Bishop has appointed and authorized the Diocesan Building Committee to pass upon all proposals relating to the purchase or sale of property, and the construction or rehabilitation of buildings pertaining to the Diocese.

#### **6810 PURCHASE AND SALE OF PROPERTY**

Before any arrangement shall be made to purchase or sell any property, applications should be made, in writing, to the Diocesan Building Committee and the permission of the Bishop, also in writing, must be received.

#### **6811 SALE OF PROPERTY**

In the case of the sale of property, the following information should accompany the request:

- A. Location of property;
- B. Dimensions of property;
- C. Improved or unimproved property;
- D. Proximity of property to church, rectory, school or convent;
- E. Possible need of property in future for parish expansion;

Updated 7/1/2014

- F. Name in whom property is vested;
- G. Original cost of property;
- H. Present value of property; and
- I. Complete details of property.

#### **6812 PURCHASE OF PROPERTY**

In the case of the purchase of property, the following information should be submitted:

- A. Location of property;
- B. Improved or unimproved property;
- C. Proximity of property to church, rectory, school or convent;
- D. Need of property;
- E. Name in whom property is vested;
- F. Value of property;
- G. Selling price;
- H. Annual taxes;
- I. How much insurance is carried at present;
- J. Present restrictions on property;
- K. Complete details of property.

#### **6820 CONSTRUCTION, REMODELING, RENOVATION, FURNISHING**

---

No project of any size over an estimated cost of \$5,000.00 may be initiated without prior presentation to the Diocesan Building Committee. This refers to site work, building, remodeling, renovation, furnishings or major maintenance.

When there is proposed an expenditure of \$5,000.00 or more the following procedures must be followed:

- A. A request, in writing, must be sent to the Diocesan Building Committee briefly describing the situation with proposals for the choice of an architect, or contractor, or engineer, etc., according to the nature of the work to be done.
- B. When upon the recommendation of the Diocesan Building Committee, the permission of the Bishop has been obtained in writing, the pastor may notify the architect, contractor, or engineer who has been approved for the project.
- C. Preliminary Plans - The architect (etc.) is to present to the Diocesan Building Committee a preliminary sketch (that is a pencil sketch and not the completed plan) together with an estimate of the cost of construction. The Diocesan Building Committee will, if necessary, consult with the Office of Catholic Education regarding plans for schools and convents and with the Liturgical Commission regarding plans for places of worship.
- D. Working Drawings - After the preliminary sketch has been approved by the Diocesan Building Committee, the architect will be authorized in writing to proceed with the final working drawings and specifications. The architect is to present the final working drawings to the Diocesan Building Committee for final approval. When the Diocesan Building Committee has approved these final working drawings, the architect will then submit them for bids to contractors who have been approved by the Diocesan Building Committee. The policy of the Diocese will favor competitive bidding. Negotiated contracts will be by way of exceptions.
- E. Bids - All bids must be sent, sealed, directly to such place as designated by the Diocesan Building Committee to be opened in the presence of the pastor and the architect. Bids shall be submitted in a sealed envelope with the name of the project and general contractor clearly indicated on the outside of the envelope.

#### **6830 GENERAL**

---

Special grants, donations, or fund-raising for capital expenditures are subject to the general criteria for gifts, grants, bequests listed in 6230.

## SERIES 7000 SCHOOL BOARDS

<b>SCHOOL BOARDS .....</b>	<b>7000</b>
<b>DIOCESAN ADVISORY BOARD OF EDUCATION .....</b>	<b>7100</b>
CONSTITUTION AND BY-LAWS .....	7110
<b>ELEMENTARY AND SECONDARY SCHOOL BOARDS.....</b>	<b>7200</b>
CONSTITUTIONS AND BY-LAWS.....	7210
MEMBERSHIP .....	7220
ROLE .....	7221
RESPONSIBILITIES.....	7222
MEETINGS.....	7230
AGENDA .....	7240
ETHICS .....	7250
PHYSICAL PLANT .....	7260
FINANCIAL SUPPORT AND MANAGEMENT.....	7270

---

### **7000 SCHOOL BOARDS**

*"Be aware that your fundamental difference lies in the fact that your BOARD has a Catholic identity. Because of this IDENTITY you are in service to your church. You share in the ministry of EDUCATION and therefore, the policy direction you give possess a spiritual dimension that makes it unique. Do not forget you are "witnessing Christians" who serve Christ in a leadership position!*

*You really can make the difference in the future direction of your SCHOOL BOARDS. Though we celebrate the present and the good things we have accomplished, we still must create the future through the use of development programs and long range planning if we want to keep our quality Catholic Schools."*

Sharing the Vision - Sister Mary Benet McKinney

### **7100 DIOCESAN ADVISORY BOARD OF EDUCATION**

---

The Diocesan Advisory Board of Education is appointed by the Bishop to serve as a source of counsel and advice in matters related to the elementary and secondary schools in the diocese of Fresno.

This Board shall act in this advisory capacity to the Bishop and the Superintendent of Schools. The body is governed by a Constitution approved by the Bishop. All board decisions, when ratified by the Bishop are binding upon the Superintendent, the pastors, school principals, all local parish school boards, and all personnel associated with the Catholic School.

## **7110 CONSTITUTION AND BY-LAWS**

---

### **ARTICLE I: NAME, PURPOSE, AUTHORIZATION AND FUNCTIONS**

Section A: NAME The name of this body shall be "Diocesan Advisory Board of Education for the Diocese of Fresno", hereinafter referred to as the "Board".

Section B: PURPOSE The purpose of the Board shall be to assist the Bishop of the Diocese of Fresno, hereinafter referred to as "Bishop" and his Superintendent of Schools in establishing educational goals, priorities and policies for the Catholic schools of the Diocese of Fresno.

Section C: AUTHORIZATION The Board and its members shall serve at the pleasure of the Bishop and function as an advisory board to the Bishop and his Superintendent of Schools. All decisions of the Board when ratified by the Bishop shall be binding on the Superintendent of Schools; the Office of Catholic Education; pastors; and principals, local boards, and staffs of Catholic schools in the Diocese of Fresno.

#### Section D: FUNCTIONS

1. Goal Setting Function: The Board shall assist the Bishop in developing, prioritizing and implementing long range educational goals for the Catholic schools of the Diocese of Fresno.
2. Policy Making Function: The Board shall assist the Bishop in establishing diocesan educational policies for Catholic schools in accord with diocesan policies. General policy areas are as follows: School Philosophy, Administrative Practices, Personnel Practices, Student Practices, Instructional Programs, Fiscal Management, School Board, Public Relations, and Educational Planning.

### **ARTICLE II: MEMBERSHIP OF BOARD**

Section A: NUMBER AND COMPOSITION The Board shall be composed of up to twelve (12) voting members:

1. Deanery Representatives: One lay person from each of the five deaneries as nominated by the dean;
2. Priests' Council Representatives: Two representatives approved by the Priests' Council (preferably one pastor with a Catholic school and one without);
3. Principal Representatives: One elementary school principal and one secondary school principal as nominated by the Principals' Advisory Committee; and
4. At-Large Representatives: Up to three at large members as selected by the Bishop in consultation with the Superintendent of Schools.

No employee of the Diocese of Fresno Education Corporation may serve as either a Deanery Representative or At-Large Representative. All voting members must be approved by the Bishop and serve at his pleasure.

Section B: TERM OF MEMBERSHIP All voting members shall serve for a term of three (3) years. Voting members shall serve no more than two (2) consecutive terms. Membership shall be staggered so that only approximately one third (1/3) of the terms of members shall expire each year.

Section C: VACANCIES Vacancies on the Board shall be filled for the remainder of the unexpired term in the same manner as members are selected for the Board (see Article II, Section A).

Section D: REMOVAL All voting members serve at the pleasure of the Bishop and may be removed from the Board by him with or without cause. Any voting member of the Board who is absent from two (2) regular meetings of the Board per year shall, unless excused by action of the Board, cease to be a member.

Section E: EX-OFFICIO MEMBERS: The Bishop or his delegate, the Superintendent of Education, the Assistant Superintendent, and the diocese Director of Catechetical Ministries or delegate shall be Ex-Officio (non-voting) members of the Board.

### **ARTICLE III: OFFICERS**

Section A: OFFICERS The officers of the Board shall consist of a President, a Vice President, an Executive Officer, a Recording Secretary, and such additional assistants as the Board may elect.

Section B: THE PRESIDENT The President shall act as the chairperson of the Board and of the Executive Committee; shall appoint all committees unless otherwise specified by the Board; shall be responsible, in conjunction with the Board's Executive Officer, for the meeting agenda; and in general shall perform all duties as from time to time may be assigned by the Board.

Section C: THE VICE-PRESIDENT The Vice President, at the request of the President, shall perform the duties and exercise the functions of the President and when so acting shall have the power of the President; and shall perform such other duties as delegated by the President.

Section D: THE EXECUTIVE OFFICER The Superintendent of Schools shall be the Executive Officer of the Board. The Executive Officer shall be an ex-officio member of the Board and shall keep the Board informed on all matters pertaining to the Catholic schools of the Diocese of Fresno. The Executive Officer shall execute on behalf of the Board all written instruments except as otherwise directed by the Board. The Executive Officer is accountable to the Bishop and shall keep him informed on the actions of the Board.

Section E: THE RECORDING SECRETARY A Recording Secretary, not necessarily a member of the Board, shall be appointed by the Executive Officer. This secretary shall keep the minutes of each meeting of the Board; shall see that all notices are fully in accordance with the provisions of the Constitution and By-Laws; shall be custodian of the records of the Board; and shall perform such duties as from time to time may be assigned by the President or Executive Officer of the Board.

Section F: ELECTION AND TENURE OF OFFICERS All officers, except the Executive Officer and the Recording Secretary, shall be elected annually at the meeting of the Board designated for this purpose. A slate of candidates shall be submitted by a nominating committee appointed by the President. Other candidates may be nominated by any member from the floor. The newly elected officers shall take office beginning with the first regular meeting of the next academic year and thereafter until their successors are duly elected and have taken office.

### **ARTICLE IV: MEETINGS**

Section A: REGULAR, SPECIAL AND ANNUAL MEETINGS The Board shall regularly meet in September, November, January, March and May, subject to change by the Board itself or to postponement by the President. Special or additional meetings shall be held whenever called by the Bishop, the Executive Officer in consultation with the President, or by a majority of the Board. The last regular meeting of each academic year shall be designated the annual meeting for the purpose of election of officers.

Section B: TIME, PLACE AND NOTICE Regular meetings of the Board are normally held on the second Monday of the month at the Office of Catholic Education in Fresno. All regularly and special meetings may be held at such times and places as designated by the President, the Executive Officer, or by the majority of the Board. All meetings of the Board are open to clergy, religious, and laity involved in the Catholic schools of the Diocese of Fresno unless designated by the President as being executive or closed. All matters of a confidential nature regarding individual school personnel shall be discussed in closed session. Only Board members and those individuals invited to speak with the Board shall be present at closed sessions and only the final actions taken by the Board shall be formally recorded.

Section C: QUORUM A majority of the current voting members of the Board is necessary for the transaction of business at meetings; and a majority vote of those present shall be sufficient for any decision or election.

Section D: RULES OF PROCEDURE The Board may set its own rules or procedures but in the absence of such, Robert's revised Rules of Order shall apply. The usual agenda format for regular meetings is as follows:

Updated 130613

- I. Call to Order and Opening Prayer
- II. Recommended Actions:
  - A. Routine Matters:
    1. Roll Call
    2. Approval of Minutes
    3. Approval of Agenda
  - B. Old Business
  - C. New Business
  - D. Inservice
- III. Information and Proposals for Discussion:
  - A. From Committees of the Board
  - B. From Office of Catholic Education Staff
  - C. From Non-Staff Communication
  - D. From Bishop
  - E. From Delegations
- IV. Future Business:
  - A. Meeting Dates
  - B. Review of Topics for Future Agenda
- V. Adjournment

## **ARTICLE V: COMMITTEES**

Section A: EXECUTIVE COMMITTEE The Board may create by resolution an Executive Committee consisting of four (4) or more members. The President and Vice President shall be an ex-officio members. The President shall be the Executive Committee's chairperson. The other two (2) members shall be appointed by the President and approved by the Board. During intervals between meetings of the Board, the Executive Committee shall possess and execute all the powers of the Board to the extent authorized by the resolutions of the Board creating an Executive Committee. The Executive Committee shall meet at the call of its chairperson and shall fix the rules and procedures to be used at its meetings. Minutes of the Executive Committee's meetings shall be taken and submitted to the entire Board at the next regular meeting. At Executive Committee meetings a majority shall constitute a quorum.

Section B: OTHER COMMITTEES The Board may create by resolution such other committees as it deems advisable and may discontinue the same at its pleasure. Each committee shall have such powers and shall perform such duties as may be assigned to it by the Board. Unless otherwise directed by the Board, the President shall appoint all committee members and chairpersons.

## **ARTICLE VI: AMENDMENTS**

Section A: AMENDMENTS This Constitution and By-Laws may be amended by a two-thirds (2/3) vote of members present and voting at a regular meeting; the amendment having been presented in writing at the preceding regular meeting. Any amendment shall become effective when ratified by the Bishop.

## **7200 ELEMENTARY AND SECONDARY SCHOOL BOARDS**

---

The local school board is intended to involve parents and parishioners in the education of their children as well as in the life of the church and its decision-making process. Its mission is to bring wisdom, talent, experience, faith life, and good will into the process of providing quality education for all the children served by the school. The local school board furnishes the support and leadership to carry out the church's commitment to Christian education. All decisions of the local school board that are in conformity with diocesan policy become final when approved by the pastor. Decisions of diocesan high school boards that are in conformity with the diocesan policy become final when approved by the rector.



## **7210 CONSTITUTIONS AND BY-LAWS**

Elementary Schools: Each elementary school's constitution and by-laws for its school board shall substantially conform to the "Model Constitution and By-Laws" adopted by the Diocesan Advisory Board of Education. Each school's constitution and by-laws and all subsequent amendments or revisions shall be submitted for approval to the Diocesan Superintendent of Catholic Schools for ratification by the Bishop. An approved copy of these documents shall be filed at the school and at the Office of Catholic Education.

Secondary Schools: The constitution and by-laws for the school boards of diocesan secondary schools and all subsequent amendments and revisions to these documents shall be submitted for approval to the Diocesan Superintendent of Catholic Schools who will seek the advice of the Diocesan Advisory Board of Education before submitting it for ratification to the Bishop. An approved copy of these documents shall be filed at the school and at the Office of Catholic Education.

## **7220 MEMBERSHIP**

The Catholic school is a complex organization which provides important services to the family, to the church, and to the community as a whole. The school is accountable to these three entities in the performance of its function and also depends on all three for survival.

The Catholic school board should be composed of members who:

- A. Bring a wide range of skills, knowledge and experience to their task. (Membership should be diverse, including not only parents, but persons of different professional, occupational and social backgrounds and non-parents from the larger community.)
- B. Have the wisdom and maturity to make good judgments and participate in constructive dialogue.
- C. Have the serious commitment which will keep them faithful to the hard work involved in being board members.
- D. Avoid partiality, to look beyond the narrow interests of their own children or special groups and to work for the good of the whole school.
- E. Understand and observe confidentiality.

## **7221 ROLE**

The local school board brings together the educational and administrative talents of the principal, the spiritual leadership of the pastor and the experience, knowledge and insights of the laity in a collegial effort to create for the children of the parish a Christian educational community. To be an effective board, the members need to understand their role and how it relates to the operation of the school

The proper activity of the local school boards and diocesan high schools is school development, recruitment, public relations, budgetary review and accountability, plant management. It is not the role of the School Board to involve itself in administration, i.e. hiring, terminating, supervision or evaluation.

The local school board shares with the pastors and principals a responsibility for providing quality education. It is important the boards understand their role and function as an advisory body to the pastor and principal.

## **7222 RESPONSIBILITIES**

A local school board member represents the school to the total community and, therefore, membership on a local school board involves stimulating responsibilities and relationships. Information that is confided demands a professional ethic so board members must be educated to handle confidential matters, to deal with issues fairly, and to represent the school to the surrounding community justly. Its responsibilities are:

- A. Determine policies in collaboration with the pastor and principal on finances, public relations and other school policies within the framework of diocesan regulations.
- B. Reflect the views of parishioners by acting as a liaison group between parents and school.
- C. Help create a better understanding of Catholic education in the parish and in the community.
- D. Plan with pastor and principal for the school's educational needs of the future.

## **7230 MEETINGS**

---

Meetings of the local school board should be held at least monthly with the possible exception of a summer break. They should normally be held in the same place, on the same day of the month, and at the same time. Admission to both open and closed meetings of the local school board is determined by the Board's constitution and by-laws.

## **7240 AGENDA**

---

An agenda is the official road map for a school board meeting. Careful preparation of the agenda gives direction and cohesiveness to board meetings. The agenda should be prepared by the board president and the principal and given to the board members together with pertinent documents at least one week before the meeting. The agenda should also be posted in prominent places for the benefit of interested parishioners. Written recommendations from committees, calling for an action of the board, should be supplied to the board members prior to the meeting.

Non-board members or delegations may address the board as determined by the Board's constitution and by-laws. Non-board members and delegations shall petition either the principal or board's president for inclusion in the board's agenda.

## **7250 ETHICS**

---

School board members are expected to perform their duties according to the following "Code of Ethics:"

Code of Ethics: As a member of a Catholic school Board of Education I pledge to:

- A. Continually become more knowledgeable about the teaching mission of the Catholic church, the mission of Catholic schools, the specific mission, philosophy, and goals of the school I serve, and my roles and responsibilities as a board member;
- B. Promote Catholic school education to the various publics with whom I have influence and recognize the public nature of my membership on the board;
- C. Know that I do not represent the school or board unless explicitly authorized to do so;
- D. Support the principal in his/her authorized functions and avoid involvement in the school's administration unless requested to do so;
- E. Be fully and carefully prepared for each meeting by doing the required readings and completing committee work and reports;
- F. Be alert to alternate solutions to problems by keeping an open mind;
- G. Work with other board members in a spirit of harmony and cooperation in spite of differences of opinions;
- H. Base my discussion and decisions upon all available facts in each situation, voting with honest conviction unswayed by partisan influence;
- I. Disqualify myself from discussion or voting on issues that may create a conflict of interest for myself, for my family, or business, especially any issue that may grant me any personal or financial gain;
- J. Abide by and uphold the board's final decisions even though I may have opposed or voted against them; and
- K. Pray often for members of the school board, my Catholic school, and the parents, parish, and community it serves.

## **7260 PHYSICAL PLANT**

---

It is the board's responsibility to assist the pastor and principal in creating and maintaining a physical environment that is conducive to learning, community building, and both extra-curricular and religious activities. It should be consistent with reasonable expectations of future funds and enrollment trends. Decisions that involve the campus master plan and the capital outlay budget request are the major concerns. Prudence demands that optimal use be made of the present physical plant before construction or remodeling is considered.

## **7270 FINANCIAL SUPPORT AND MANAGEMENT**

---

The board must make sure the school has financial resources sufficient to meet operating costs and to maintain

Updated 130613

the school in a manner consistent with the school's stated philosophy and goals. The collective effort of all board members is essential to the responsibility of seeing that secure financial resources are established. The specific character of each member's contribution to this effort will vary according to his/her skills, time, and resources. Those board members having special financial expertise will be able to offer especially helpful financial advice and assistance.

**SERIES 8000  
PUBLIC RELATIONS**

<b>PUBLIC RELATIONS AND COMMUNICATIONS .....</b>	<b>8100</b>
SCHOOL SPONSORED MEDIA .....	8110
NEWS RELEASES .....	8120
BROCHURES, CATALOGS, ADVERTISING .....	8130
SCHOOL DIRECTORY .....	8140
<b>OFFICE OF EDUCATION SPONSORED MEDIA OR OTHER MEDIA .....</b>	<b>8200</b>
RESPONSIBILITIES OF SCHOOL PERSONNEL .....	8210
SUPERINTENDENT .....	8210.1
PRINCIPAL .....	8210.2
<b>PARENT PARTICIPATION.....</b>	<b>8300</b>
PARENT GROUPS.....	8310
SCHOOL BOARDS .....	8320
<b>PUBLIC ACTIVITIES INVOLVING STAFF, STUDENTS, OR SCHOOL .....</b>	<b>8400</b>
RELATIONS BETWEEN PUBLIC AND SCHOOL PERSONNEL .....	8410
VISITOR REGULATIONS.....	8420
CONFERENCE WITH TEACHERS .....	8421
GUEST SPEAKERS .....	8430
RELATIONS BETWEEN PUBLIC AND STUDENTS .....	8440
CONTESTS .....	8450
SOLICITATION OF FUNDS FROM STUDENTS .....	8460
FUND-RAISING ACTIVITIES .....	8470
ADVERTISING AND PROMOTION.....	8480
USE OF SCHOOL FACILITIES .....	8490
<b>RELATIONS WITH OTHER ORGANIZATIONS .....</b>	<b>8500</b>
RELATIONS WITH LOCAL, STATE, AND FEDERAL CIVIL AUTHORITIES .....	8510
LAW ENFORCEMENT OFFICIALS.....	8520
INTERROGATION OF STUDENTS .....	8530

---

## **8000 COMMUNICATION WITH THE PUBLIC**

### **8100 PUBLIC RELATIONS AND COMMUNICATIONS**

---

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 diocesan and pastoral administrators, the parish council and/or parish school board, the school staff, the parents, the students, the 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 cooperation with the pastor and with the neighboring parish schools serving the same community.

### **8110 SCHOOL SPONSORED MEDIA**

---

A school atmosphere and program which integrates 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: parent organizations, community activities, public service projects, open house observances, promotional literature, school reports, and publications, press releases, and broadcast features.

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

### **8120 NEWS RELEASES**

---

Individual schools are encouraged to release to the diocesan newspaper, Catholic Life, Channel KNXT 49, to the local press and to community affairs producers, stories and information that will keep the public informed of current school activities and achievements.

### **8130 BROCHURES, CATALOGS, ADVERTISING**

---

Every school must include a statement of its non-discriminatory policy in all its advertising brochures and catalogs dealing with student admissions, programs, and scholarships. In addition, every school must include a reference to its non-discriminatory policy in other written advertising that it uses as a means informing prospective students of its programs (See also policy 4110).

### **8140 SCHOOL DIRECTORY**

---

Data designated as directory information for elementary and secondary students shall be released only in response to legitimate interest requests and for purposes approved by the school administrator. No information may be released to a private profit-making entity.

### **8200 OFFICE OF EDUCATION SPONSORED MEDIA OR OTHER MEDIA**

---

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

## **8210 RESPONSIBILITIES OF SCHOOL PERSONNEL**

---

### **8210.1 SUPERINTENDENT**

The Superintendent shall represent the diocese in all matters that concern the Office of Catholic Education and the Catholic schools in the diocese. Any announcement of policy for Catholic education and news items that pertains to the schools of the diocese shall be released by the proper diocesan official.

### **8210.2 PRINCIPAL**

In each school, the principal shall coordinate the public relations activities. All school bulletins, newsletters, publications, and public programs require prior approval by the principal.

## **8300 PARENT PARTICIPATION**

---

Parent participation is vital to a successful school program. A sense of joint responsibility shared by parents and teachers forms the basis of the faith community in which the child will be nurtured and grow to a happy, responsible Catholic adult.

Principals and teachers have a grave responsibility to respect the dignity of parents, to affirm and support them. A program that brings about successful parent-teacher interaction assures that the task of educating the child is a cooperative learning responsibility.

The effectiveness of an educational endeavor of the school is contingent upon the parents' understanding and support. Energy dedicated to parent participation and education is not a fringe activity but an integral part of the education process and the mission of the Catholic School. Parent education fosters parent-teacher communication and encourages and stimulates parents to assume an attitude of shared responsibility.

### **8310 PARENT GROUPS**

---

Parent-Teacher Groups and other school support groups may be organized:

- A. To promote a broader appreciation of the mission, goals, and ideals of Catholic education;
- B. To enlist the spiritual, educational, and social resources of home and school to provide the best Catholic education possible;
- C. To foster the integration of families into the life of the parish community;
- D. To provide a solid resource group to plan, coordinate, and staff the school's fund-raising efforts and social functions (See policy 6220 and following);
- E. To provide a forum of exchange for parents and teachers on matters of mutual interest;
- F. To establish, guide, and coordinate the efforts of other school related parent organizations, such as sports booster club, band booster club, Future Farmers of America, etc.; and
- G. To foster the political action of parents as advocates regarding national, state, and local legislation that affects Catholic schools as well as the lives of students and parents.

All Parent-Teacher groups shall operate under constitutions that are in substantial conformity with the model constitution approved by the diocese.

### **8320 SCHOOL BOARDS**

---

Each Catholic school has been directed by the Bishop to establish a local board that meets regularly and functions effectively (See series 7000).

## **8400 PUBLIC ACTIVITIES INVOLVING STAFF, STUDENTS OR SCHOOL**

---

### **8410 RELATIONS BETWEEN PUBLIC AND SCHOOL PERSONNEL**

---

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 school personnel and the public.

### **8420 VISITOR REGULATIONS**

---

All visitors shall be required to report or register in the office of the principal upon their arrival at the school.

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.

### **8421 CONFERENCE WITH TEACHERS**

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

### **8430 GUEST SPEAKERS**

---

Persons who are not officials of the school, the diocese, or of approved groups, such as policemen and firemen, shall not be allowed to address the pupils of a school, either in class groups or in assemblies, without the advance approval of the principal.

### **8440 RELATIONS BETWEEN PUBLIC AND STUDENTS**

---

In regard to 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.

### **8450 CONTESTS**

---

In consultation with the faculty, approval of contests is the responsibility of the principal. Students should be encouraged to participate in contests that are related to the curriculum and that promote good public relations.

### **8460 SOLICITATION OF FUNDS FROM STUDENTS**

---

- A. There may be no solicitation or collection of funds without the approval of the principal.
- B. Every precaution shall be taken to ensure the voluntary nature of any authorized solicitation. In these collections the element of competition should be used with discretion.
- C. Any authorized solicitations shall be scheduled and conducted in such a manner as to reduce to a minimum:
  1. Interruption of the regular school activities
  2. Imposition on families
  3. Conflict with school/parish fund-raising
  4. The individual solicitation of funds by a student or faculty member is prohibited.

### **8470 FUND-RAISING ACTIVITIES**

---

Students may participate in and cooperate with fund-raising activities conducted by the school or parish.

### **8480 ADVERTISING AND PROMOTION**

---

School may distribute literature of a commercial nature to students or parents only after the principal has assessed its educational merit.

#### **8490 USE OF SCHOOL FACILITIES**

---

Requests for use of school facilities by parish and other groups are subject to the approval and permission of the pastor and principal and policies of the parish and school. Requests for use of high school facilities are subject to individual high school policies.

#### **8500 RELATIONS WITH OTHER ORGANIZATIONS AND SCHOOL SYSTEMS**

---

#### **8510 RELATIONS WITH LOCAL, STATE AND FEDERAL CIVIL AUTHORITIES**

---

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

Civil officials who desire to enter the school or to perform some service there shall be courteously requested to present identification and proof of official capacity unless personally known by the school's officials.

#### **8520 LAW ENFORCEMENT OFFICIALS**

---

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

Schools are urged to invite the cooperation of the local law enforcement agencies in instructing students about crime prevention, drug traffic and abuse, bicycle and traffic safety, and similar pertinent topics.

#### **8530 INTERROGATION OF STUDENTS**

---

When it is necessary in the performance of his/her duty for a police officer to question or arrest a minor in attendance at school, the officer is empowered to do so. While the constitutional rights of students may not be infringed upon by police officers, school officials are not required to nor should they attempt to prevent such interviews. In taking this action, police officers are required to give due consideration and recognition to the rights and responsibilities of the school personnel. Consequently, all police officials shall be requested and expected to deal directly with the principal, pastor or delegated school official.

In such matters the principal shall take the following steps:

- A. Ascertain the identity and the official capacity of the police officer, the authority under which he/she acts, and in the case of the release of the student, the reason for such action.
- B. Question the officer to ascertain whether the student is a suspect or witness to a crime.
- C. Notify the parents immediately unless prohibited from doing so by the police officer. The principal shall also request that the police officer delay interviewing or arresting the student until the parents are present. If the officer is unwilling to wait until the parents arrive, the principal shall request to be present for the interview and/or arrest. The officer has the right to refuse this request.
- D. Keep a record of the events and the sequence of procedures followed. This shall include the name and identification of the officer to whom the parent should be referred.

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 interviewed or arrested by a police officer does not necessarily constitute cause for suspension or expulsion.



## SERIES 9000 EDUCATIONAL PLANNING

<b>EDUCATIONAL PLANNING .....</b>	<b>9000</b>
<b>EDUCATIONAL DECISIONS RESERVED TO THE BISHOP .....</b>	<b>9100</b>
<b>SCHOOL AFFILIATION WITH THE DIOCESE .....</b>	<b>9200</b>
PROCESS TO GAIN AFFILIATION.....	9210
<b>SCHOOL CERTIFICATION/ACCREDITATION .....</b>	<b>9300</b>
<b>CHILD CARE PROGRAMS .....</b>	<b>9400</b>
DEFINITIONS .....	9410
ACCOUNTABILITY .....	9420
SUPERVISION OF THE PROGRAM.....	9421
PROGRAM DIRECTOR .....	9421.1
LICENSED CHILD CARE PROGRAMS .....	9430
ESTABLISHING LICENSED CHILD CARE PROGRAMS .....	9431
EXEMPT CHILD CARE PROGRAMS .....	9440
EXTENDED CARE PROGRAMS.....	9441
ESTABLISHING AN EXTENDED CARE PROGRAM .....	9441.1

### **9000 EDUCATIONAL PLANNING**

Every Catholic school needs a coherent and well integrated educational plan to ensure the quality of its program. It should have a current, formal, long-range plan, effective budget development and monitoring processes, and a dynamic public relations program designed to reach the publics with which the school deals on a regular basis.

An effective Catholic school needs to look not simply at its current problems, but also to develop creative ways to involve the school's local community in the continued development of the ministry of Catholic education. A Catholic school's planning process needs to address the quality of education and Catholicity of the school and then build future plans that enhance these characteristics. The school's leadership must recognize that they are basically in a people-oriented business, they need to seek ever more effective ways to communicate with its various publics and broaden its base of support.

### **9100 EDUCATIONAL DECISIONS RESERVED TO THE BISHOP**

The opening, expansion (i.e., adding grade levels), consolidation (i.e., joining two or more schools into one school), reduction (i.e., closing grade levels), or closing of a Catholic school is a decision that is reserved to the Bishop of the Diocese of Fresno in consultation with the Superintendent of Catholic Schools and the Diocesan Advisory Board of Education.

To submit recommendations to the Bishop regarding reserved decisions, the following steps should be taken:

- A. When in the opinion of the school, parish, or other initiating group, there is cause to study and possibly recommend a reserve decision to the Bishop, the initiating group will meet with the Superintendent of Catholic Education to discuss this matter.
- B. The Superintendent of Catholic Education will assist the local initiating group to design a comprehensive study of the proposed reserved decision.
- C. This self study, the recommendation of the local initiating group, and the recommendation of all other parties affected by the proposed change will be submitted to the Superintendent of Catholic Education for his review.
- D. The Diocesan Advisory Board of Education will review in Executive Session all materials submitted and will make its own recommendation to the Bishop.
- E. The Bishop, after considering all information available to him, including the self study and all recommendations submitted, will render a decision on the matter.

## **9200 SCHOOL AFFILIATION WITH THE DIOCESE**

---

All Catholic elementary and secondary schools in the Diocese of Fresno are canonically responsible to the Bishop. The Bishop of the Diocese of Fresno has sole authority to recognize and designate a school as "Catholic."

All Catholic school within the Diocese of Fresno must be affiliated with the diocese in one of three ways:

- A. Schools which are owned and operated by the Diocese of Fresno Education Corporation;
- B. Schools which are owned and/or operated by a Religious Community;
- C. Private schools which are formally recognized by the Bishop as "Catholic."

All affiliated Catholic schools shall meet the following Standards of Affiliation. They shall:

- A. Conform to the authority of the Bishop in all matters related to religious education and liturgical practice. With regard to religious education, each school shall:
  1. Ensure that the religious education program reflects the content of major Church documents (e.g., *Basic Teachings of Religious Education*, *The National Catechetical Directory*, *To Teach as Jesus Did*, *The Catholic School*, *To Teach Them*, *The Religious Dimension of Education in a Catholic School*, *Catechism of the Catholic Church*).
  2. Ensure that all teachers of religion meet the requirements of the Religion Teacher Certification Program of the Diocese of Fresno.
- B. Have a written school philosophy in accord with the "Mission Statement" and "Philosophy of Education" of the Diocese of Fresno.
- C. Employ competent teachers who are supportive of the teachings of the Catholic Church.
- D. Adhere to diocesan policies regarding the opening, expansion, reduction, or closing of a school program.
- E. Pay an annual assessment to the Office of Catholic Education as determined by the Bishop.
- F. Seek and maintain the school's WCEA certification and WASC accreditation through the Office of Catholic Education.
- G. Adhere to the standards for private schools as established by the State of California.

## **9210 PROCESS TO GAIN AFFILIATION**

---

To gain affiliation with the Diocese of Fresno the following process shall be followed:

- A. All schools sponsored by a parish, a group of parishes, the Diocese, or by a Religious Community shall be automatically affiliated with the Diocese provided that they have been established according to diocesan policy and continue to meet the Standards of Affiliation.
- B. Private schools seeking affiliation must submit to the Superintendent of Catholic Education the following:
  1. A letter that formally requests that the Bishop of the Diocese of Fresno formally recognizes the school as "Catholic."
  2. All documents requested by the Diocese to substantiate whether or not the school will be able to meet the Standards of Affiliation.

The Bishop shall determine whether recognition as "Catholic" shall be granted. This recognition may be withdrawn at any time by the Bishop if the private school substantially fails to meet the Standards of

Affiliation. Normally private schools requesting affiliation for the first time shall be granted a probationary affiliation for two (2) years. At the end of this probationary period, the school must request continued affiliation. The Superintendent of Schools shall determine what steps, if any, must be taken to grant continued affiliation.

## **9300 SCHOOL CERTIFICATION/ACCREDITATION**

---

All Catholic schools in the Diocese of Fresno shall seek and maintain certification/accreditation from the Western Catholic Educational Association (WCEA) and the Western Association of Schools and Colleges (WASC).

## **9400 CHILD CARE PROGRAMS**

---

### **9410 DEFINITIONS**

Besides running Catholic schools for grades K-12, the Diocese of Fresno has a number of other school and parish supported programs that provide care for children. To understand the distinctive nature of these programs, the following general definitions shall apply whenever these terms are used in diocesan policy:

- A. Child Care Programs are programs that care for children (under 18 years of age) other than the traditional K-12 educational programs.
- B. State Licensed or Licensed child care programs are those programs that the State of California requires to be licensed in order to be operated. Examples of these *licensed* child care programs are:
  1. Infant Care Programs refers to noncompulsory programs for infants (ages birth through 2) which provide care for an extended period of time.
  2. Day Care Programs refers to noncompulsory programs for young children (ages 2 through 6) which provide care for an extended period of time.
  3. Preschool Programs refers to noncompulsory programs for young children (ages 2 through 6) which are primarily instructional in character and which follow a school year calendar.
- C. Exempt child care programs are those child care programs that are not required by the State of California to be licensed in order to be operated. Examples of these exempt child care programs are:
  1. Extended Care Programs refers to noncompulsory, school-operated programs that provide care before-and/or after-school for school-age children.
  2. Recreational Programs refers to noncompulsory recreational programs for school-age children that must comply with certain limited hours of service.
- D. Director refers to a person designated by the school or parish to manage a child care program. Directors of both licensed and exempt programs must meet certain qualifications including those set by the state to hold this position.

### **9420 ACCOUNTABILITY**

All licensed child care programs established in the Diocese of Fresno shall be licensed and accountable to the Diocese of Fresno Education Corporation and the Superintendent of Catholic Education. This accountability pertains to all licensed child care programs established and operated by a parish with or without a Catholic school.

The Office of Catholic Education shall insure that all state/county licensing requirements are met in those programs requiring such licensure. All employees, children, volunteers, and others involved with Diocesan Child Care Programs shall be under the auspices of the Diocese of Fresno Education Corporation and subject to the policies and practices established by the Diocese of Fresno and the Office of Catholic Education. The Office of Catholic Education shall provide ongoing professional training and direction to all Diocesan Child Care Programs within state and diocesan guidelines.

## **9421 SUPERVISION OF THE PROGRAM**

Parish-Based Programs: In parishes which do not have an established elementary school, child care programs shall be under the supervision of the pastor who has the responsibility to hire a child care director to manage each program.

School-Based Programs: In parishes which do have an established elementary school, child care programs are the responsibility of the school's pastor who shall delegate direct supervision of the program to the school's principal who has the responsibility to hire program directors and staff.

### **9421.1 PROGRAM DIRECTOR**

The Child Care Program Director shall be responsible to insure that the parish or school-based child care program meets all the requirements, policies, and practices set by the State of California, the Diocese of Fresno Education Corporation, the Superintendent of Catholic Schools, the local parish, and school (if applicable).

## **9430 LICENSED CHILD CARE PROGRAMS**

---

### **9431 ESTABLISHING LICENSED CHILD CARE PROGRAMS**

The opening of a licensed Infant Care, Day Care, or Pre-School Program is a decision reserved to the Bishop of the Diocese of Fresno (see policy 9100). To gain the Bishop's permission, the diocesan institution planning such a program shall submit a formal proposal to the Superintendent of Catholic Education that includes the following items:

- A. Needs Assessment: This needs assessment shall demonstrate the local need for a licensed, Catholic, child care program in the area. The data in this needs assessment should reflect the family demand for such services in the community, the present services available in the community, and why these present services are not meeting the current demand.
- B. Program Outline: Before preparing a Program Outline, representatives from the planning institution shall attend the orientation provided by the State of California, Community Care Licensing Division which explains the state's prerequisites for establishing a child care program and the procedures required to submit an application for licensure. The Program Outline, which is the program's initial design, shall include the following:
  1. A description of the goals and objectives of the child care program
  2. The program's site preparation plan which includes: the estimated costs to prepare the site to meet the state's licensure demands, especially regarding enrollment/space minimums, fire, safety, and health requirements; conformity to local zoning requirements; and the availability of adequate financial resources to make these preparations
  3. A scale drawing of the site including both indoor and outdoor facilities
  4. The program's projected enrollment and the staffing plan to meet this enrollment
  5. A preliminary annual operating budget for the program
  6. A timetable listing all the necessary steps that must be accomplished to open the program
  7. Any licensure application materials already prepared

Upon submittal of the formal proposal, the Superintendent will critique it, draft recommendations, and submit it to the Bishop for his approval. Upon gaining the Bishop's formal approval, the diocesan institution shall assist the Superintendent of Catholic Schools in filing an application for a state child care license. It may also begin making necessary site improvements, hiring and inservicing staff, and taking those steps necessary to open the child care program.

## 9440 EXEMPT CHILD CARE PROGRAM

---

### 9441 EXTENDED CARE PROGRAMS

A Catholic school may operate an exempt Extended Care Program that provides before- and/or after-school care for the school's regularly enrolled students in grades Kindergarten through eighth. A school's Extended Care Program shall meet the following minimum requirements:

- A. The program shall be opened according to the criteria specified in policy 9444.1 "Establishing an Extended Care Program."
- B. The program shall provide participating students with planned and professionally supervised recreational and learning activities.
- C. The program shall only be available to students who are regularly enrolled in the school.
- D. The program and its staff shall be directly supervised by an on-site Director who is appointed and supervised by the school's principal.
- E. The program should be financed by fees from participating families and should not be subsidized by the school.

#### 9441.1 ESTABLISHING AN EXTENDED CARE PROGRAM

The opening of an exempt, school-operated Extended Care Program is a decision reserved to the school's pastor in consultation with the Superintendent of Catholic Schools. To gain the pastor's permission, the principal and board of education shall submit to the pastor a proposed program plan which shall include the following:

- A. An Implementation Plan which includes: a program needs assessment; implementation schedule; a program facility design; estimated costs to prepare the facility and for program equipment; and a first year operational budget (including income based on anticipated enrollment, staffing costs, and other program costs).
- B. A Parent Handbook which includes: the program's philosophy; participation levels and fees; description of typical program hours of operation, services, and activities (homework, recreational, nutritional, etc.); student behavior regulations; emergency plan; health and safety plan; student medical emergency treatment authorization; the after-school campus sweep procedure; sign in/out procedures including an authorization for persons to pick up a student; and parent involvement opportunities.
- C. A Program Handbook which includes the *Parent Handbook* topics and the following: the school principal's responsibilities; the parent registration agreement and annual fee schedule; the program's hiring standards and staffing design for the program's director, assistants, substitutes, volunteers; staff job descriptions (qualifications and duties); fiscal management (bookkeeping, fee collection, cash receipts, etc.) and reporting plan; an emergency management plan for students and facilities; nutritional plan; and marketing plan.