

Catholic Elementary School Operating Principles | DIOCESE OF BUFFALO

OPERATING PRINCIPLES OF ST PETER'S CATHOLIC SCHOOL BOARD OF SPECIFIED JURISDICTION

Article I: Name, Purpose, Duties

Section 1. Name

The name of this organization is the ST PETER'S CATHOLIC SCHOOL Board (hereinafter referred to as the "board").

Section 2. Purpose

The purpose of this board is to promote and advance the mission of this Catholic school for the education and instruction of students in assisting them to "reach the fullness of the Christian life." (See canon 794 §.1). In keeping with the principles of the Roman Catholic Church, this board ensures that this school fulfills its mission of forming the human person for our final end and for the common good. (See canon 795); the finances of the school remain healthy; and a course of education as prescribed by the DIOCESE OF BUFFALO and the applicable policies, rules, and regulations of the STATE OF NEW YORK.

The board is established with the canonical understanding that the Christian faithful have the right and duty to establish such a board which must be highly esteemed by the Church (see canon 796 §2). As such, the board, with specified power of governance, is a participatory, policy making body for the matters specifically identified herein pertaining to the board's authorized powers in respect to the school. All decisions of the board within its specified powers shall be binding upon the competent local ecclesiastical authority (aka "Chaplain") and school administrators and shall be in compliance with canon law (see canons 793-806), the letter and the intent of the policies, rules, and regulations of the Office of Catholic Schools of the DIOCESE OF BUFFALO, the applicable policies, rules, and regulations of the STATE OF NEW YORK, and those powers reserved to the Roman Catholic Bishop of the DIOCESE OF BUFFALO (the "Bishop").

Section 3. Definition of Competent Local Ecclesiastical Authority/ Chaplain

For the purposes of these operating principles, the "competent local ecclesiastical authority" will be the pastor of the Parish Family (or of the single parish with a parochial school if the parish family hasn't been created) OR the appointed parochial vicar (see canon 794 §2), OR another priest appointed by the Family Pastor to serve in this position. The Competent Local Ecclesiastical Authority will be known as the "Chaplain." The Bishop is the competent diocesan ecclesiastical authority in the diocese and the one to whom the Chaplain is subject.

Section 4. Duties

The board fosters the highest possible standards of academic and religious education for all students and provides binding policy direction to the school in these five (5) distinct areas:

Financial Oversight

The board develops plans and means to secure the financial future of the school. This includes, but is not limited to:

- A. Budget creation and monitoring
- B. Setting tuition
- C. Financial planning
 - Teacher & staff compensation levels (including union negotiations for unionized schools)
 - Investment of reserve funds

Advancement

The board, collaborating with the school's advancement personnel, drives the development of, and establishes a comprehensive school advancement plan. This includes:

- A. Enrollment Management
- B. Marketing/Communications
- C. Development/Fundraising

Strategic Planning

The board drives the development of, and establishes the school's strategic plan – complete with goals, objectives, and action plan.

Board Education/Evaluation

The board annually determines its own effectiveness in light of the school's mission, board goals, and responsibilities as outlined in these operating principles.

Principal Selection/Evaluation/Termination

- Selection of a new school principal is a board-driven process. It begins with the board forming a search committee including the board chair, two other board members, the Chaplain, a representative from the Catholic Schools Office of the DIOCESE OF BUFFALO (the "Catholic Schools Office"), and two educators. The committee conducts a search while meeting all appropriate diocesan human resource policies. Upon the recommendation of the board, the candidate (who must be a practicing Catholic in good standing) is appointed by the pastor.
- Evaluation of the principal is the joint duty of the Catholic Schools Office, the board, and the Chaplain (See canons 804 and 806.) The board participates in the evaluation of the effectiveness of the principal using the performance appraisal process prescribed by the Catholic Schools Office.
- Upon the recommendation of 2/3 majority of the board, and after notifying the Catholic Schools Office, the board may remove the principal with cause or remove a principal at the end of a contract. All appropriate diocesan human resource policies apply.

Other Policy

Except as otherwise specified in these operating principles, the board does not deal with and has no authority to deal with the following:

- A. Review of administrative decisions.
- B. Administrative regulation.
- C. Personnel issues that concern faculty or staff members.
- D. Hiring or firing of faculty and staff.
- E. Issues related to student life or student behavior
- F. Development of school curriculum.

Article II: Reserved Powers of the Bishop

The following powers are reserved to the Bishop in accordance with the discipline and governance of the Roman Catholic Church and in accord with the Code of Canon Law. Any action to be taken by the board that might infringe on these powers shall require specific prior authorization, in writing, by the Bishop or his appointed delegate.

- A. Exercising the right of vigilance and visitation of the school; issuing prescripts about the general regulation of the Catholic schools. (See canon 806).
- B. Ensuring that principals and teachers are "outstanding in correct doctrine and integrity of life." (See canon 803(2)).
- C. Exercising the right to appoint or approve teachers of religion or to remove and/or to demand that they be removed if he deems that necessary (See canon 805).
- D. Ensuring the Catholic identity and religious education as expressed in the philosophy and mission of the school. (See canon 803).
- E. Ensuring the professional review of the school's effectiveness in providing a high-quality Catholic education and in sustaining continuous progress toward stated objectives.

- F. Approving and amending the operating principles of the board.
- G. Approving transactions outside of the ordinary course of daily business (e.g. incurring debt, securing loans, modifying or expanding school facilities, acquisition or selling of property) (See canons 1291-1295)
- H. Appointing legal counsel or financial auditors for the school.

Article III: Reserved Powers of the Pastor

- A. The pastor appoints the chaplain.
- B. The pastor appoints the principal.
- C. The pastor approves the budget.
- D. The pastor appoints board members.

Article IV: Board Membership

Section 1. Number and Composition

- A. The board shall consist of no fewer than 3 members in the initial 6 months of board formation after which the board should operate with at least 5 voting members, targeting at least 11 total voting members after 18 months (at least $\frac{1}{4}$ but no more than $\frac{3}{4}$ of whom can be current parents) nominated by the board membership committee and appointed by the board. Board members are appointed by the Pastor. All voting members will serve a term of three years and board members are permitted to serve two consecutive terms. Past members may be asked to rejoin the board after a one-year hiatus. At the point of start-up for the board, an appropriate phase-in period for members should be established and candidates can be nominated.
- B. The Chaplain is an *ex officio*, voting member of the board. The Chaplain shall have 1 vote on the board.
- C. The parish trustees are *ex officio* non-voting members of the board.
- D. The principal is an *ex officio*, non-voting member of the board who has the responsibility of implementing board policies and shall have discretionary authority to make administrative decisions.
- E. If there is an HSA or Parent Guild, the president of that group could serve as an *ex-officio* non-voting member.
- F. All board members serve without compensation and/or remuneration for service on the board, none of them shall benefit financially from their association with the school (other than compensation as an employee of the school, where applicable) or as board members of the school.
- G. The board acts with one voice. The board shall not be bound by any statement or action on the part of any individual member(s) of the board except when such statement or action is in pursuance of specific instruction of the board.

Section 2. Selection, Appointment, Removal

- A. New and renewed appointments to the board will generally take place at the board meeting closest to June 1 of each year. Newly appointed members of the board shall take office at the meeting closest to September 1 of each year, following an orientation and training as prescribed by the Catholic Schools Office. Exceptions exist during the startup phase of the board.
- B. Retiring board members (or those completing their designated term) shall leave office after the board meeting closest to June 1 of each year.
- C. Board members may resign by delivering to the Pastor and the chair of the board a letter indicating his or her intent to resign and the effective date of that resignation.
- D. The Pastor may remove any board member at any time with or without cause.

Section 3. Criteria for Membership of the Board

- A. Members should be at least 21 years of age.
- B. Members should have a genuine interest in Catholic school education, the mission of the school and the diocesan mission.
- C. Members who are of the Catholic faith shall give witness to the Roman Catholic Church's teachings and moral truths and values. Members who are of non-Catholic faith shall agree to be respectful of the Roman Catholic Church's teachings and moral truths and values.
- D. Members should maintain high levels of integrity and confidentiality.
- E. Members should be objective and free of self-interest.
- F. Members should support the programs and operations of the school.

- G. Members should support board decisions even if they do not fully agree with them.
- H. Members should maintain regular attendance at board meetings. Any board member absent from two (2) regular meetings of the board during one (1) year (July 1 to June 30) shall, unless excused by action of the board, cease to be a member.
- I. Voting members should not be salaried employees of the parish(es) or school or spouses of salaried employees of the parish(es) or school.
- J. Members should abide by the operating principles and policies of the board and the policies of the Catholic Schools Office of the DIOCESE OF BUFFALO.
- K. Members should deliberate on all matters before the board in good faith and for the common good of the community of the school, the DIOCESE OF BUFFALO, and the Roman Catholic Church.

Article V: Officers

Section 1. Officers, Selection, Tenure

The officers of the board shall include a chair, a vice chair, a secretary, and the chair of the Finance Committee. The chair, vice chair, and secretary are elected by the board from among the voting members of the board (excluding the chaplain).

- A. The voting members of the board shall select the chair, vice chair, and secretary at the meeting closest to June 1 of each year.
- B. Officers shall hold offices until the next annual election and thereafter until their successors are duly selected.

Section 2. Duties of the Officers

- A. The chair presides at all regular and special meetings of the board; appoints all members of committees (including the chair) unless otherwise specified by the board; and in general, performs all duties incident to the office of the chair and such other duties as from time to time may be assigned to him/her by the board. The board chair, in consultation with the principal, creates meeting agendas that carefully distinguish the difference among items that are meant to be for information, discussion, advice or action.
- B. The vice chair shall be an aide to the chair, and in case of the absence or disability of the chair, shall assume and perform the duties of the chair.
- C. The secretary shall keep board meeting minutes; submit a copy of the minutes within a reasonable time to the principal and board chair for editing and mailing; see that all notices are fully given in accordance with these operating principles; and be custodian of the records of the board and provide the principal with copies for the school office or archives. In the absence of the chair and vice chair, the secretary shall chair board meetings.

Article VI: Standing Committees

Standing committees of the board are advisory to the board and shall work towards achieving the board goals in their respective area. Committees will make recommendations to the board about how to achieve said goals.

Section 1. Executive Committee

- A. Composed of the officers of the board, the principal, and the Chaplain. With careful consideration and board approval, the board may extend the position of executive committee member to additional members of the board.
- B. Addresses emergency situations in which it is impossible or inappropriate to assemble the full board. This committee meets only when called by consensus of the officers of the board.
- C. Reviews board decisions in light of the school's Catholic identity and mission.
- D. Coordinates the identification, cultivation, recruitment, and orientation of new board members.
- E. Facilitates board self-assessment.
- F. Identifies board needs for education and training and facilitates opportunities to meet these needs.

Section 2. Finance Committee

- A. Works with the business manager serving the school and reviews relevant parish financial data such as the annual report.
- B. Develops annual operating budgets in consultation with the principal and chaplain.
- C. Drives budget process which should include:

- a. The principal should present anticipated enrollment and expenses before the budget is prepared.
 - b. The Chaplain will be consulted regarding the expected annual contributions to be made for the following year's budget from the parish and surrounding parishes.
 - c. Preliminary budget preparation by the business manager serving the school in consultation with the principal and the Finance Committee chair. This should take place by December so tuition and staff/faculty pay scale can be set. The business manager should build in anticipated costs.
 - d. Preliminary budget is reviewed and revised, as necessary, by the board's Finance Committee, and then forwarded to the board for its review. This should include proposals for tuition/fees and staff/faculty pay.
 - e. The budget is then presented to the board for approval. The board, Chaplain, and principal must sign off on the approved budget.
 - f. The budget is then given to the parish for approval.
- D. Ensures the maintenance of a separate school budget from the parish budget to ensure proper accountability, management, controls, and reporting.
 - E. Monitors revenue and expense through monthly statements prepared by the school and reports results to the board and to the Catholic Schools Office.

Section 3. Enrollment & Development Committee

- A. Works to increase the awareness and advances the mission of the school in the recruitment and retention of prospective and current students and families.
- B. The Parent Guild/HSA may have representation on this committee.
- C. Analyzes enrollment data and identify areas of need and focus
- D. Coordinates and promotes major fundraising activity of the school
- E. Assists in developing a pool of prospective annual fund donors
- F. Participates (as do all board members and volunteers) in key fundraising and friend raising activities including financial support and professional expertise.
- G. After a period of time, this committee could be separated into two separate committees.

The board may, by majority vote, establish additional ad hoc committees (i.e. strategic planning or facilities). The board may discontinue such committees and dismiss them with thanks at the completion of the appointed task.

Although the standing committees of the board are chaired and staffed by voting members of the board, the board may invite non-members who bring knowledge or experience to join the committees (except for the Executive Committee). They may or may not be voting members of the committees at the discretion of the board.

Article VII: Role of the Principal

In addition to all the roles and responsibilities of a board member, as indicated in these operating principles, the principal's role also includes the following.

- A. The principal is responsible for implementing the policies of the Catholic Schools Office and policies formulated by the board.
- B. The principal is responsible for the day-to-day operations of the school community.
- C. The principal hires and, when necessary, terminates all faculty and staff. All faculty and staff report to the principal. All human resource decisions must be in compliance with diocesan policies.
- D. The principal is the educational leader of the school and as such, he/she provides educational direction to the board and serves as the link among the board, the Chaplain, the school and its faculty, the students and their parents.
- E. The principal keeps the board informed about the operations of the school and its curricular and co-curricular needs and about diocesan policies and procedures.

Article VIII: Chaplain

The Chaplain fulfills all the roles and responsibilities of a board member, as indicated in these operating principles, and has 1 vote on the board. In addition to the responsibilities and obligations in canon law and diocesan policy which the Chaplain bears, that person also brings to the board wisdom, experience, and leadership in the following

ways:

- A. As a 1-vote board member, he recognizes the power and commitment of the full board in supporting the school. As such, he consults the Board chair and Executive Committee on any suggested changes at the school level.
- B. He plays an important role on the school board in that he shares a collegial relationship with board members while serving as their spiritual leader.
- C. As a spiritual leader, he shares the pastoral vision and offers other spiritual insights that will enrich and improve the quality of the board's deliberations.
- D. Promotes the Catholic life of the school community and board as a spiritual leader and pastoral minister whose interaction with the community underscores gospel values.
- E. Is present to the school community at significant educational, board initiated, and family events.
- F. Regularly shares the good news of the school with the pastor and other parishes in the family.

Article IX: Meetings

Section 1. Regular, Special and Annual Meetings

- A. The board shall meet at least four (4) times per year (July 1 to June 30) with dates determined by the board in its first meeting. The schedule for and location of these meetings will be set and publicized for the year (July 1 to June 30).
- B. The Chaplain, the chair or a majority of board members may call for special meetings when needed. If time permits, the board will give usual notice of special meetings 24 hours in advance stating the nature of the meeting, the time and the place.
- C. The board meeting on or closest to June 1 shall be designated as the annual meeting with its major topics being election of officers and nomination of new members for the next year.

Section 2. Quorum

- A. Quorum is defined as the presence of the minimum number of members of a specific body necessary to conduct business (usually the majority of the voting members). By absolute majority, this board understands a number of members/votes totaling more than fifty percent (50%) of the voting membership constitutes a quorum. (See canon 119).
- B. For the purpose of transacting official business, it shall be necessary that an absolute majority of the total-voting members be present and voting. "Voting members" of the board shall mean the selected and appointed members, as defined in Article III. An absolute majority of those present and voting shall carry the motion, decision, or election.
- C. It is expected that the chaplain and the pastor will support the decisions of the board unless they are contrary to the mission of the parish and the policies and procedures of the DIOCESE OF BUFFALO.

Section 3. Dispute Resolution

In the event of a dispute in the area of the board's responsibility, between the absolute majority of the board, represented by more than fifty percent (50%) (see canon 119), and the Chaplain (or host pastor in matter of facilities and grounds), conciliation may be attempted through mediation and resolved in accord with Canon Law (see [Appendix A](#), Dispute Resolution Process) and carried out in a timely manner.

Section 4. Rules of Procedure

The board shall decide matters through a process of consensus and except as otherwise provided by these Operating Principles, the current version of "Robert's Rules of Order"¹ shall apply to all procedural matters before the board.

Section 5. Order of Business

- A. Meetings of the board shall generally be closed; however, the board reserves the right to declare open sessions.
- B. Each board member should receive notice and a copy of the agenda and supporting materials at least seven (7) days prior to the regularly scheduled meeting.

¹ Recommended resource: *Robert's Rules of Order, Newly Revised in Brief, 3rd Edition*

- C. Anyone wishing to place on the agenda an item for consideration by the board must notify the secretary at least ten (10) days prior to the scheduled meeting.

Section 6. Visitors

The right of non-members to address the board shall be limited to those whose petition has been approved by the principal and chair for inclusion on the agenda at least seven (7) days in advance of the meeting.

Section 7. Archives

A written record of all acts of the board, maintained by the secretary, shall be preserved at the school.

Article X: Amendments

- A. These operating principles may be amended, supplemented, or repealed in whole or in part at any time by a two-thirds vote of all voting members of the board and subject to the prior written approval of the Chaplain, the superintendent of schools, and the Bishop.
- B. Amendments to these operating principles must be presented to the board in writing at least two weeks prior to one meeting for discussion and voted on at a subsequent meeting.

Article XI: Enactment

These operating principles shall become effective upon the approval of the superintendent of schools and promulgation by the Bishop.

Article XII: Conflict of Interest

Any member of the board who has an interest in or has a member of his or her household or a family member who has an interest in, a contract or other transaction presented to the board, or a committee shall make prompt and full disclosure of such interest to the board prior to any discussion of or action on such contract or transaction. The board (excluding the potentially interested member) shall thereupon determine by majority vote, whether a conflict of interest exists. If a conflict is deemed to exist, such person shall not vote on, exert influence over or participate in any of the deliberations with respect to such contract. Such person may be requested to be absent from board discussion about the contract or transaction.

Article XIII: Indemnification of Personal Liability only to the Extent of Insurance

To the extent covered by insurance acquired by the school, each board member and officer of the board, now or later serving, is indemnified by the school against any and all claims and liabilities to which he or she has or will become subject to by reason of having served as a board member or officer or by reason of any action alleged to have been taken, omitted, or neglected by him or her as board member or officer. The school will also reimburse each such person for all legal expenses reasonably incurred by him or her in connection with any such claim or liability. However, no board member or officer shall be indemnified against or reimbursed for any expense incurred in connection with any claim or liability arising out of his or her own willful and/or criminal misconduct or gross negligence. The right of indemnification provided herein will not be exclusive to any other rights that law may entitle to any board member or officer.

Article XIV: Whistleblower Policy

The Board shall adopt a Whistleblower Policy and shall review from time to time. The primary purpose of the Whistleblower Policy shall be to protect from any intimidation, harassment, discrimination, retaliation, or adverse employment consequences any Trustee, officer (including any administrative officer), committee member, employee, or volunteer who in good faith reports an action or suspected action that is potentially illegal, fraudulent, or is in violation of any adopted policy of the school. The Whistleblower Policy shall contain procedures for reporting violations. Sample provided upon request.

DISPUTE RESOLUTION PROCESS

Appendix A

This dispute resolution process involves the board, board chair, school chaplain, pastor, and superintendent and provides the parties with a procedure to resolve disagreements arising from the implementation of the school governance operating principles (see canon 1733).

Step #1 – Initiation of Dispute Resolution Process

1. A request for mediation shall be made in writing by the pastor, board chair or chaplain to the superintendent of schools. The mediation request shall specify the date of the request and the issue(s) in dispute.

Step #2 – Preliminary Mediation Conference

1. A preliminary mediation conference shall be conducted within five school days after receipt of the written request. The relevant parties will meet to determine the issue, provide clarification of the Operating Principles, and discuss options.
2. The conference shall be informal and held at a place reasonably convenient to the parties in dispute. If the meeting results in agreement, the issue can be brought to the board for a vote and recorded in the minutes. If the meeting does not result in agreement, the next step is to select a mutually agreed upon mediator.

Step #3 – Mediation

1. The superintendent of schools shall offer the board a panel of three individuals qualified to mediate who have been vetted for a strong commitment to Catholic social teaching as a basis for their interest.
2. At the next board meeting a general introduction to the process of mediation will be explained and the issues will be discussed according to the process.

Upon resolution, the agreement becomes part of the minutes of the meeting. If an agreement is not reached, the mediator identifies the unresolved issues. The entire board present verifies the issues with their signature and the chairperson will forward them to the Bishop. The Bishop or his delegate will meet with the board for final resolution.

ACCEPTANCE

Operating Principles | School Agreement

We, the undersigned, agree to implement the attached operating principles for a Board of Specified Jurisdiction for ST PETER'S CATHOLIC SCHOOL This document is executed by the undersigned in his capacity as Pastor of ST PETER'S PARISH and shall be binding upon the successor pastors. These principles replace any previous guiding school board documents.

Pastor
in capacity as Pastor and not in an individual capacity

Date

Principal
in capacity as Principal and not in an individual capacity

Date