



**Diocese of Little Rock
Office of Catholic Schools**

Policies and Procedures Manual

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RIGHT TO AMEND

The Diocese of Little Rock Office of Catholic Schools reserves the right to amend at any time this policy manual, which is not a contract. School principals will be given prompt notification of any amendments.

3.01 NON-DISCRIMINATION CLAUSE

The Catholic Schools in the Diocese of Little Rock will not discriminate on the basis of age, race, color, disability, and national or ethnic origin in the administration of educational policies, personnel policies, or other administered programs.

3.02 CLASSIFICATION OF EMPLOYEES

Provisions of the Fair Labor Standards Act (FLSA) are used to determine whether a position is classified as exempt or non-exempt. The classification of a position is the basis for determining its eligibility for overtime pay. The following guidelines apply:

3.02.1 Exempt Employees

Exempt employees must meet the salary test and duties test to be classified as exempt. The overtime provisions of the FLSA do not apply to positions classified as exempt. See the FLSA poster or contact the Diocesan Office of Personnel and Administration for assistance to determine whether a position should be classified as exempt.

3.02.2 Non-Exempt Employees

Timesheets or a time clock must be utilized by all non-exempt employees to record hours worked. Positions classified as non-exempt under the FLSA must be paid no less than time and one-half at the regular rate of pay for all hours worked in a payroll week that exceeds 40 hours. Supervisory approval must be obtained for all overtime or additional hours worked that exceed an employee's regular schedule.

3.03 PERSONNEL FILES

Personnel files must be maintained for each employee in a locked file cabinet. The principal should review the files on a yearly basis to ensure all items are completed. Diocesan policy on records retention, or in its absence the guidelines from the Office of Catholic Schools for records retention, must be followed.

Items to be kept in the personnel file on current employees:

- Application
- Resume
- Reference documentation
- Job description
- Years of service (include all places where employee has worked)
- Signed and dated evaluations/assessments and growth plans for current and past years
- Education verification (teaching licensure, college transcripts, etc.)
- Contracts or Summaries of Employments
- Copy of state employee withholding tax form
- Copy of federal employee withholding tax form
- Copy of insurance enrollment forms
- Catechist certification (if applicable)*
- Record of in-service hours*
- Deficiency plan (if applicable)
- Employee emergency contact form

- Personal and sick leave records*
- Employee change of benefit form (completed when person leaves)

*May be kept electronically

Items to be kept in a separate file on each employee (if applicable):

- I-9 form
- Investigative records: discrimination complaint information, legal case data, accusations of policy/legal violation
- Security clearance investigation records: personal criminal or arrest records
- Workers' compensation forms and documents
- Medical records: physician records of examination, including drug screening and anything listed in HIPAA guidelines
- Timesheets for non-exempt employees

Who can see personnel files:

- Only those who have legitimate reason and approval by the principal shall access the file.
- Individual employees have a right to examine his/her personnel file at a time mutually agreed upon with the principal.

3.04 HIRING STAFF

3.04.1 Hiring Principal

Applicants for the principal's position shall be Catholic and in good standing with the Church. The pastor will be given guidelines that will assist in the selection process. The final hiring decision for a principal rest with the pastor in consultation with the superintendent.

3.04.2 Hiring Assistant Principal

Whenever it is deemed necessary and advisable, an assistant principal may be hired by the principal with approval of the pastor and in consultation with the superintendent. Applicants for the assistant principal's position shall be Catholic and in good standing with the Church. Responsibilities and roles of the assistant principal are stated in the job description.

3.04.3 Hiring Teachers and Other Personnel

The principal is responsible for interviewing and hiring qualified staff. Prior to making the decision for employment, at least three (3) references must be checked and documented. The final employment decision will be in consultation with the pastor.

3.04.4 Hiring Substitute Teachers

A paid substitute teacher must receive at least the minimum hourly wage. For long-term substitutes working three months or more, Catholic schools shall employ substitute teachers who are qualified and degreed.

3.05 SCHOOL PERSONNEL STANDARDS

A primary mission of the Catholic Schools in the Diocese of Little Rock is to instill in its student's belief, respect and understanding of the Catholic faith. School personnel agree to cooperate in building the Catholic faith community in the school, to show respect for Catholic beliefs, and to aid in the Christian formation of the students by exemplifying in their own actions the characteristics of Christian living based on the teachings of the Catholic Church.

3.06 TEACHER QUALIFICATIONS

All teachers must have a minimum of a bachelor's degree from a four-year accredited institution of higher education and be qualified to teach in his/her major or minor field of study. When requesting an exception to this standard, the school must submit a deficiency plan for approval to the superintendent of the Office of Catholic Schools. The deficiency plan cannot be used for non-degreed personnel or individuals starting a baccalaureate program (per ANSAA).

All employees licensed by the Arkansas Department of Education must comply with the regulations set forth by the licensing division of the Arkansas Department of Education.

3.07 RELIGION TEACHER QUALIFICATIONS

Teachers of religion must be practicing Catholics who meet the catechist certification requirements.

3.08 TERMS OF EMPLOYMENT

3.08.1 Diocesan Safe Environment Program

All employees must complete the Diocesan Safe Environment Program.

The online training includes:

- Screening release form for background check
- Acknowledgement of reading and agreeing to the Diocesan Policy on Sexual Abuse of Minors; the Diocesan Policy on Sexual Misconduct with Adults; and the Diocesan Code of Conduct
- Training videos and accompanying questions

Employees must recertify their training and background checks every five (5) years.

The above guidelines are not inclusive, and discretion should be exercised in situations that may not be defined in these guidelines. The procedure will be to err on the side of protecting children and vulnerable adults.

3.08.2 Employment Eligibility Verification (I-9 Form)

Employees and employers are required to complete the I-9 form to document verification of the identity and employment eligibility of each employee.

3.08.3 Benefit and Employment Forms

All state, federal, and diocesan forms must be completed and sent to the proper agencies. Copies shall also be placed in the employee's personnel file.

3.08.4 Acceptable Use for Internet, Electronic Mail, and Social Networking

All employees must read and sign the Acceptable Use for Internet, Electronic Mail, and Social Networking Policy following all relevant laws and procedures as outlined by the Diocese of Little Rock.

3.08.5 Licensed Daycare Programs

All employees and volunteers working in a licensed daycare program must comply with the any and all pertinent regulations issued by agencies of the State of Arkansas.

3.09 CONTRACTS FOR EXEMPT EMPLOYEES

In following the guidelines of the Fair Labor Standards Act, principals and teachers are exempt employees.

3.09.1 Principal Contracts

All principals in the Diocese of Little Rock shall function under a contract approved by the Office of Catholic Schools. Duties and responsibilities will be outlined in their job description. The contract does not become valid until the principal, pastor, and superintendent have signed the contract.

3.09.2 Assistant Principal Contracts

All assistant principals in the Diocese of Little Rock shall function under a contract approved by the Office of Catholic Schools. Duties and responsibilities will be outlined in their job description. The contract does not become valid until the assistant principal, pastor, and superintendent have signed the contract.

3.09.3 Teacher Contracts

Teachers in the Diocese of Little Rock shall function under a contract approved by the Office of Catholic Schools. Duties and responsibilities will be outlined in their job description. The contract does not become valid until the principal, pastor, and teacher have signed the contract.

3.10 SUMMARY OF EMPLOYMENT FOR NON-EXEMPT EMPLOYEES

All employers must follow the provisions contained in the Fair Labor Standards Act (FLSA) for the compensation of non-exempt employees. Timesheets or a time clock must be utilized for the recording of hours worked. Non-exempt employees working over 40 hours per week must be paid no less than 1.5 times his/her hourly rate for any hours exceeding 40 in a work week. All hours to be worked that exceed a non-exempt employee's regular schedule must be authorized in advance by the principal and/or supervisor.

Non-exempt employees are issued a Summary of Employment instead of a contract, which should include the following:

- Job title, job description, and supervisor's name and title
- Work schedule

- Compensation rate
- Benefits
- At-will employer/employee relationship
- Employer's right to amend employment terms
- Terms of employment
- Signatures of employee, supervisor, and pastor

3.11 HONORING CONTRACTS

Catholic schools in the Diocese of Little Rock will honor contracts of other Catholic and non-Catholic schools. A contract will not be signed with a teacher who is already under a contract with another Catholic or non-Catholic school for a given term without a written release from that school.

3.12 EVALUATIONS

3.12.1 Principal Evaluation

The principal should be evaluated by the pastor each year. The Office of Catholic Schools will provide the pastor with an official process to evaluate the principal. A copy of the principal evaluation will be sent to the superintendent. If the pastor has a concern that arises regarding the principal's ability to perform his/her duties, the pastor will consult the superintendent in a timely manner. This consultation is a first step for performance improvement.

If termination of a contract is considered during the year, or a contract may not be offered for the following year, prompt consultation with the Office of Catholic Schools is imperative.

3.12.2 Assistant Principal Evaluations

Assistant principals will be evaluated each year by the principal. The evaluation will be based on the assistant principal's job description to allow the principal to recognize achievements and promote his/her professional growth.

3.12.3 Teacher Evaluations

Teachers will be evaluated each year by the principal, using the form provided by the Office of Catholic Schools. Both formal and informal evaluations should be used.

The purpose for teacher evaluations is to allow the principal to recognize the achievements of teachers and promote his/her professional growth.

- Two evaluations will be conducted for new teachers in the first semester.
- All teachers will receive at least one formal evaluation per year. Other evaluations may be informal.
- Evaluations will be documented. They may include timelines and areas of improvement.
- The teacher will be permitted to state in writing their response to the evaluation and to include this written feedback as an addendum to the completed evaluation.
- Both the principal and teacher will sign the evaluation which will be filed in the teacher's personnel file. The teacher will be provided with a signed copy of the evaluation.

3.12.4 Non-Certified Performance Evaluations

All non-certified employees must have an annual performance evaluation based upon his/her job description. At the time of hiring, it will be determined who will complete the evaluation, the immediate supervisor, or the principal.

3.13 PROFESSIONAL DEVELOPMENT

All teachers will participate in the Annual Catholic Schools Professional Day for Teachers by the Office of Catholic Schools and staff development days scheduled by the principal.

The Diocese of Little Rock Catechist Certification shall be included as professional development for school employees.

The individual employee is responsible for submitting documentation of professional development to be placed in his/her personnel file. The employee should retain a copy for their records.

Teachers licensed in the State of Arkansas must meet the required professional development hours for renewal of licensure.

3.14 SALARY

Each school will strive to pay a just wage to all employees. The Office of Catholic Schools will provide a recommended scale to be used as a guide for a minimum salary and benefits. Non-exempt employees will be paid at least the minimum mandated hourly wage as outlined in the Fair Labor Standards Act (FLSA).

3.15 FAIR LABOR STANDARDS ACT (FLSA)

All employees who are not exempt from the overtime and minimum wage provisions of the Fair Labor Standards Act (FLSA) must be paid at least the minimum wage determined by federal and state law. The federal minimum wage governs unless the minimum wage required by state law exceeds the federal minimum wage. Teachers are exempt from overtime and minimum wage provisions contained in the FLSA. Compensation for the majority of other school employees excluding teachers is typically governed by provisions of the FLSA. Federal law requires that these employees be paid at least the minimum wage and overtime for hours that exceed 40 in a payroll week. Completion of weekly timesheets is required for these non-exempt employees for verification that the school is complying with the overtime provisions contained in the FLSA.

Catholic schools must strictly comply with provisions of the FLSA and must be able to demonstrate compliance through a documented time and attendance process. School employees subject to the provisions of the FLSA must utilize time clocks to verify work hours or complete weekly timesheets signed by the incumbent and principal. Employees not exempt from the FLSA provisions must be paid 1.5 times his/her hourly rate for all hours worked that exceed 40 in a payroll week.

3.16 BENEFITS FOR FULL-TIME LAY EMPLOYEES

In order to qualify for benefits, an employee must work at least a minimum of 1040 hours per year.

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3.16.1 Health Insurance

On the first day of the month immediately following their effective date of employment, all full-time employees are eligible for enrollment in the Diocesan health insurance plan.

If an employee elects not to participate within the first 30 days of his/her employment, there is a six (6) month waiting period to enroll unless a qualifying event takes place. For additional information regarding the Diocesan health insurance plan, contact the benefits coordinator at the Diocese.

3.16.2 Life Insurance and Accidental Death and Dismemberment

On the first day of the month immediately following his/her effective date of employment, all qualified employees must be enrolled in the Diocesan life insurance and accidental death and dismemberment program. The cost of individual coverage is paid by the employer and provides a one-time benefit equal to the employee's annual salary rounded up to the next higher thousand. Coverage for other members of the employee's family is available on the first day of the month immediately following the effective date of employment at the employee's expense. Spousal enrollment in the first 31 days of employment does not require completion of a spouse medical questionnaire.

3.16.3 Retirement Plan

Qualified employees are eligible to make voluntary contributions to the Diocesan retirement plan after six (6) months of employment.

- After three (3) years of employment in the Diocese, the employee must complete an enrollment application and the employer will contribute a minimum of 5% of regular compensation to the employee's retirement account.
- A participant will be 100% vested both in employer and employee contributions at all times.
- Under certain circumstances, the plan allows a participant to borrow from his/her account.
- After retirement or termination, benefits may be left in the plan, rolled over to an IRA, or paid out in a lump sum.
- The Diocesan Retirement Plan (Tax Deferred Annuity) is described in detail in the Diocese of Little Rock Tax Deferred Annuity Plan available for review at the Administration and Personnel Office at the Diocese of Little Rock.
- Pension Plan (for service prior to 1985): A separate pension plan will provide a monthly benefit, at age 65, of $\frac{3}{4}$ % of the monthly salary, multiplied by the number of years of service (years of service not covered by another school retirement plan). This benefit will be subject to the vesting schedule as provided by the pension plan; a reduced early retirement benefit will also be available.

3.16.4 Long-Term Disability Insurance

On the first day of the month immediately following his/her effective date of employment, all qualified employees must be enrolled in the Diocesan long-term disability insurance program paid for by the employer. This plan provides for a monthly benefit for an employee who incurs total or permanent disability due to an accident or sickness that is not job-related.

3.16.5 Dental Insurance

On the first day of the month immediately following his/her effective date of employment, qualified employees are enrolled in the Diocesan dental insurance program, unless they elect not to participate. The employer pays the premium for the individual employee's coverage. Family members may be added at an additional cost to the employee.

3.16.6 Section 125 Plan

The Section 125 Flexible Spending plan allows each employee to voluntarily reduce his/her taxable income and use the salary reduction amount to pay for unreimbursed medical expenses and dependent care on a pre-tax basis. These expenses are deducted from gross pay, reducing one's taxable income. Section 125 funds must be spent in the calendar year the election is made.

3.16.7 Workers' Compensation Coverage

The Arkansas workers' compensation law requires employers to provide his/her employees with coverage for all reasonable and necessary medical care related to an on-the-job injury or illness and requires in some circumstances compensation for time lost from work. All employees must report any work-related injury or illness immediately to his/her employer who is responsible for notifying the Diocesan workers' compensation insurance carrier. The employer bears the cost of workers' compensation insurance coverage and must post a notice (Form AR-P) in a conspicuous place in the workplace with the required information about current coverage and instructions for employers and employees. For additional information or questions, contact the Administration and Personnel Office at the Diocese of Little Rock.

3.17 LEAVE OF ABSENCE

3.17.1 Family Medical Leave Act (FMLA)

The Catholic schools of the Diocese of Little Rock grant up to 12 weeks of unpaid leave based on provisions contained in the Family Medical Leave Act. Leave eligibility is determined by provisions of the FMLA and all accrued paid time is applied concurrently to the non-paid leave period. For more information about unpaid and paid leave and the FMLA, please see the government FMLA poster or contact the Administration and Personnel Office at the Diocese of Little Rock. Prior to going on FMLA unpaid leave, contact the Diocese of Little Rock Superintendent's Office.

3.17.2 Uniformed Services Employment and Reemployment Rights Act (USERRA)

An employee serving in the Armed Forces of the United States must be granted time off for duty and service. The employee will be given the required time off for active duty, active-duty training, or inactive duty training without putting his/her job in jeopardy. The employee may use personal leave during all or part of the leave period or request military leave of absence. The employee must provide the principal with a copy of the military orders requiring the need for military leave upon receipt of the orders unless notice was precluded by military necessity.

3.17.3 Sick Leave Full-Time

Full-time employees accrue sick leave at the rate of nine (9) days per school year. Sick leave may

be accumulated to a maximum of ninety (90) days. Sick leave may be used only in the case of an actual illness of the employee or immediate family members. After three consecutive workdays of absence, the principal or pastor may request medical documentation that the employee is unable to perform essential job functions. Pay will be deducted for any absences in excess of accumulated sick leave.

At the time of resignation, retirement, termination of employment, or the end of a contract year, an employee is not paid for accrued sick leave. Accumulated sick leave shall be applied toward the waiting period for disability insurance benefits. Accrued sick leave is transferable between Catholic schools in the Diocese of Little Rock.

3.17.4 Personal Leave Full-Time

Full-time employees will have personal leave with pay, not to exceed three (3) days per year. When requesting a personal day, the employee should give reasonable notice to the principal. Personal days must be approved in advance. Except in the case of an emergency, personal leave may not be taken during the first or last week of the school year, or on the school day immediately before or after a holiday. Personal leave does not accrue. At the time of resignation, retirement, termination of employment or at the end of a contract year, the teacher is not paid for unused personal leave.

3.17.5 Bereavement Leave Full-Time

Request for bereavement leave should be made to the employee's supervisor.

3.18 RECOMMENDED LEAVE FOR NON-EXEMPT BENEFIT ELIGIBLE EMPLOYEES WORKING YEAR-ROUND (i.e. NOT FOLLOWING THE SCHOOL CALENDAR)

3.18.1 Vacation

The following days are recommended based on continuous employment:

Five (5) days after the first year

Ten (10) days after the second year

Fifteen (15) days after the fifth year

Twenty (20) days after the tenth year and thereafter

The maximum number of vacation days one can accrue is twenty (20)

Unused vacation time must be paid to the employee upon termination of employment

Previous work experience such as in another Catholic school or parish may be considered in evaluating the vacation policy.

3.18.2 Holiday Leave

The paid holiday schedule is determined by the pastor in consultation with the principal.

3.18.3 Sick Leave Non-Exempt

A full-time employee is granted (9) sick days per year. Sick leave may accumulate to a maximum of 90 days. Sick leave may be used only in the case of an actual illness of the employee or immediate family members. After three consecutive workdays of absence, the principal may request medical documentation that the employee is unable to perform essential job functions. Pay

will be deducted for any absences in excess of accumulated sick leave.

At the time of resignation, retirement, or termination of employment, the employee is not paid for accrued sick leave.

3.18.4 Personal Leave Non-Exempt

Full-time employees will have personal leave with pay, not to exceed three (3) days per year. When requesting a personal day, the employee should give reasonable notice to the principal. Personal days must be approved in advance, except in the case of an emergency, personal leave may not be taken during the first or last week of the school year, or on the school day immediately before or after a holiday. Personal leave does not accrue. At the time of resignation, retirement, termination of employment or at the end of a contract year, the employee is not paid for unused personal leave.

3.18.5 Bereavement Leave Non-Exempt

Request for bereavement leave should be made to the employee's supervisor.

3.19 JURY DUTY

Employees called upon for jury duty receive his/her regular salary while on such duty. Employees are to notify the principal as soon as notice is received to be on jury duty. Jury duty pay is kept by the employee.

3.20 TEACHER TENURE

A system of tenure does not exist in the Catholic schools in the Diocese of Little Rock; therefore, the school is under no obligation to offer a new contract.

3.21 TERMINATING /NON-RENEWAL OF CONTRACT

The pastor must consult with the superintendent before discussing termination or non-renewal of a contract with a principal. The superintendent in consultation with an attorney with the Diocese, shall assist the pastor to ensure that the non-renewal/termination follows civil laws. Written notification of termination must be given to the individual.

When non-renewal or termination of a contract is considered for any employee of the school, the principal shall contact the superintendent before notifying the employee. The superintendent in consultation with an attorney with the Diocese, shall assist the principal and pastor to ensure that the non-renewal/termination follows civil laws. Written notification of termination must be given to the individual.

3.22 RIGHT OF APPEAL

In the event an employee wishes to appeal a decision of termination, he/she has the right of appeal. The individual must contact the superintendent and request a review hearing.

- The appeal is to be made in writing and is to delineate the case clearly.

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- The written appeal must be made within ten (10) working days of written notification of dismissal.
- The superintendent will review the appeal and determine if it should be sent to a review committee.

3.23 STUDENT SUPERVISION

The supervising staff is responsible for managing the students at all times. Supervising students means both mentally (paying attention to the students) and physically (in close proximity). Rules and procedures should be in place for the students to follow in the emergency absence of the supervising staff.

3.24 CONFIDENTIALITY

Employees who handle confidential information are responsible for its security and should not discuss it with anyone other than his/her supervisor, principal, or pastor except as provided for by law.

3.25 CHILD ABUSE/NEGLECT AND LIABILITY/REPORTING

Arkansas law requires certain categories of professions to report suspected child maltreatment to the Arkansas Department of Human Services or law enforcement officers.

All school employees in the Diocese of Little Rock are mandated reporters under civil law. In addition, all school volunteers are also mandated reporters under diocesan policy.

Reports shall be made immediately by telephone or online at mandatedreporter.arkansas.gov and shall be followed by a written report within forty-eight (48) hours if requested by the receiving agency. If the alleged perpetrator is a member of Church personnel (a priest, deacon, religious, or an employee or volunteer of any parish or school or affiliated entity), the report shall also then be made to the chancellor for Canonical Affairs or the diocesan Victim Assistance Coordinator as outlined in diocesan policy.

It is a misdemeanor for any state mandated reporter to fail knowingly and willingly to report any such incident of child abuse or neglect.

Any person participating in good faith and exercising due care in making a report pursuant to this act shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceedings resulting from such report.

It is not the role of the parish, school, or organization to investigate or verify the situation but to report the suspected abuse, setting in motion the process of getting help for the child. Even if not required by law, all Church personnel in the Diocese, including volunteers are to report all suspected sexual abuse of minors, except when to do so would break the seal of confession.

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3.26 FAMILY-CENTERED COURT CASES

Teachers and principals should avoid taking sides in custody suits, family-centered disagreements, or court cases. School personnel shall not serve as witnesses in divorce, child custody, or other family-related courts unless subpoenaed. Statements by school personnel should only be written upon receipt of a subpoena. Written statements, verbal depositions, or testimony should state only facts and not opinions. If an employee is subpoenaed, the superintendent shall be notified.

3.27 HARASSMENT

Any harassment of any person by another person working in or attending a Catholic school is prohibited. Any person who has harassed another person is subject to disciplinary actions. Harassment should be reported to the principal, pastor, and/or superintendent.

3.28 CYBERBULLYING

Cyberbullying of any kindergarten-12 school employee (public or private) is classified as a Class B misdemeanor.

3.29 INFECTIOUS DISEASES AND/OR LIFE-THREATENING ILLNESSES

If an employee is diagnosed with an infectious disease or life-threatening illness, they should follow any guidelines from their health care specialist. If needed and the employee qualifies, they may be put on Family Medical Leave (FMLA).

3.30 COPYRIGHT FOR WRITTEN AND RECORDED MATERIAL

All staff shall follow applicable federal and state laws regarding permissible photocopying and recording of copyrighted works.