

# ***Education Committee Handbook***

*Catholic Schools in the Diocese of La Crosse are a mission of the Church entrusted by Jesus Christ to instill Catholic faith and morals in our students. Within community, our schools prepare students spiritually, academically, and physically to proclaim and live out the Good News in preparation for eternal life.*

## INTRODUCTION

*Education committee membership is one way that the laity share in the teaching ministry of the Church.  
What education committee members do is crucial to the mission of Catholic education.*

*-Mary Angela Schaugnessy, SCN, JD, PhD*

The National Directory of Catechesis directs the formation of a parish catechetical committee by stating...

*If the pastor so chooses, he may establish a commission to assist him with his catechetical responsibilities. **No single model of representative commission, However, will be suited to every parish.** Different circumstances in parishes require different organizational forms. ...No matter what organizational form is chosen, the various educational and catechetical components of a parish program of evangelization and pastoral care should be developed in harmony With one another and with the total program of pastoral care planned by the parish. ...The members of the parish catechetical commission or committee should represent the diversity of age, ability, and the cultural, racial, ethnic, social, and economic conditions present in the parish. They should receive appropriate training and pastoral formation that help them understand the Church's universal mission, the overall goals of the parish, and the catechetical priorities within the pastoral plan.*

*Parish catechetical efforts should be coordinated with those of neighboring parishes, clusters or parishes, deaneries, and regions. As much as possible, parishes should share resources and avoid the duplication of catechetical services, especially so that the catechetical needs of poor or otherwise disadvantaged groups can be met. (Pages 225-256)*

This handbook is meant to be a resource for in-servicing, organizing, and maintaining Education Committees with parishes that have schools. **Along with the directives and policies of Canon Law and the Diocese of La Crosse, this handbook states the recommended format, development, and procedures of an Education Committee.**

*Young people are a valued treasure and the future leaders of our Church. It is the responsibility of the entire Church community – bishops, priests, deacons, religious, and laity – to continue to strive toward the goal of making our Catholic elementary and secondary schools available, accessible, and affordable to all Catholic parents and their children.*

*(Renewing Our Commitment to Catholic Elementary and Secondary Schools in the Third Millennium, USCCB, 2005)*

## COMMITTEE GUIDELINES

### PURPOSE

The Education Committee is responsible for developing awareness that the entire parish community has the responsibility for promoting the educational and formational aspects of the Church's mission.

The Education Committee of the parish – both school and religious education, under the direction of and in collaboration with the Parish Pastoral Council, coordinates and integrates all aspects of Catholic education and formation, i.e. children through adult, Catholic and public school children alike. The Education Committees of the parish – both school and religious education, are to *foster cooperation, coordination, and communication among all groups and individuals involved in the educational and formational ministries of the parish*. At the same time, the committees respect the roles and responsibilities of the parish employees as defined in their job descriptions.

The Education Committee ensures that those responsible for responding to the various educational needs of the parishioners (1) accomplish their ministry well, (2) are provided the necessary tools and resources, and (3) that they carry out the overall purpose of education and formation.

### FUNCTION

The Function of the Education Committee is to:

- (1) Carry out responsibilities delegated to it by the pastor and pastoral council.
- (2) Assist the pastor and school principal in carrying out their leadership roles in the parish education and formation programs.
- (3) The Catholic Education Committee is not a school board. It has no canonical or legal authority; it is strictly consultative.
- (4) It cannot enter into contractual obligations.

*Enactment of policy is the responsibility of the pastor.* Just as the pastoral council is a consultative body, so too, *the Education Committee is consultative*. Neither the pastoral council and its committees nor the Education Committee can make decisions binding for the school without the approval of the pastor and the principal. A consultative committee collaborates with the pastor, principal and pastoral council in the planning process. This is in keeping with the shared decision making model at the diocesan level of the Catholic Church through the consultative status of the Diocesan Presbyteral Council, Diocesan Pastoral Council and Diocesan Finance Council.

Consultation also means that decisions will not be made in major matters related to the education and formation programs without consultation of the Education Committee.

The Education Committee will likely be consulted in the following areas concerning the school:

- A. *Planning* – Establishment, formulation, and review of the school Mission Statement and Wisconsin Religious and Independent School Accreditation (WRISA) strategic plan.
- B. *Finances* – Developing long and short-term plans and means to finance ongoing educational programs including tuition, parish subsidy, development, fundraising, to develop the annual school budget, and monthly advice in the allocation of resources in the school budgets.
- C. *Development, including Public Relations and Marketing* – Includes understanding the school's mission, a commitment to the vision, the involvement of people, the development and presentation of a case statement to the public, and finally the acquisition of funds to bring the WRISA plan to fruition.

- D. *Evaluation* – Determining whether WRISA long-range strategic plans are being met and determination of the school committee’s own effectiveness. The committee is not involved in evaluating staff members, the principal, personnel, or students.
- E. *Selection and Appointment of the Principal* – Participating in a consultative role according to the policies of the diocese and parish in determining the principal.

#### **RELATION TO PARISH PASTORAL COUNCIL**

The Parish Education Committee is a *standing committee of the pastoral council*. The responsibilities of the committee should be specified in writing. Before implementation, all recommended actions developed by the parish Education Committee are to be conveyed to the pastoral council for review, unless otherwise directed by the pastor and the parish pastoral council.

#### **RELATION TO PARISH FINANCE COUNCIL**

The Parish Education Committee should *convey recommendations* for the annual school budget in a timely fashion to the pastoral and finance councils.

#### **RELATION TO THE DIOCESE OF LA CROSSE**

The program and actions of the parish school and parish Education Committee should, at all times, be in accord with diocesan policy.

#### **RELATION TO PARISH AND SCHOOL EMPLOYEES**

Due to conflict of interest, it is recommended that no parish or school employees be on the Parish Education Committee. If, by direction of the pastor, this is the case, these members shall be ex-officio. The Parish Education Committee may recommend structuring of staff within the school, but have no involvement in the evaluation process of these employees.

#### **MEMBERSHIP**

Members of the parish Education Committee are appointed, with pastoral approval, by the chair of the pastoral council. The parish Education Committee may consist of representatives for: educational aspects of parish, evangelization, adult education, religion education, school, missionary activities, ecumenism, sacramental preparation, pre-school, special education, vacation bible school, bible studies, and spiritual formation and prayer groups.

Members of the parish Education Committee are to meet the following criteria:

- A. *Interest in and commitment to* parish faith formation and the *educational missions and Catholic identity* as part of total Christian formation.
- B. *Available to attend meetings* and periodic in-service programs and to participate in committee work.
- C. *Maintain high levels of integrity and confidentiality.*
- D. Able to deal with situations as they relate to the good of the entire school and parish community.
- E. *Be a credible witness of the Catholic faith* to the school and parish community and beyond.

#### **VACANCIES**

If a vacancy on the parish Education Committee develops, the *pastor is to make the appointment of a replacement.*

In the event that a person is appointed to fill a vacancy during the year, appropriate in-service shall be provided by the pastor or his designee prior to the person becoming a member of the parish Education Committee.

## IN-SERVICE

All new members of the parish Education Committee are expected to attend a parish Education Committee meeting prior to the beginning of their term. All members of the parish Education Committee are to *receive annual in-service* at the first meeting held after July 1 of each fiscal year.

## OFFICERS

Committee Chair responsibilities:

- Jointly with the pastor and principal, set regular meeting agendas.
- Ensure that an accurate recording of the minutes of each committee meeting is prepared. The chair may appoint a secretary to assist in these duties.
- Make sure the agenda and minutes are:
  - Transmitted to the Education Committee Members.
  - Filed in the school office.

## MEETINGS

The Parish Education Committee should meet as needed beginning in July or August. Task forces of the committee meet as necessary. Special parish Education Committee meetings can be called by the pastor, principal, or committee chair (with approval of the pastor).

The agenda and written committee reports should be available to members at least one week prior to the regularly scheduled committee meetings.

In the event that a *closed meeting* is required, any teachers or other employees who are ad-hoc members, other than the principal or pastor, should be excused from the meeting. *Minutes must be taken* during the session and placed in the file as confidential and not disseminated to the public. A summary of any decisions or listing of the topic of discussion should be put in the general minutes. This will ensure accurate accountability for anything decided within this closed session.

## RULES OF ORDER

*Consensus-building* is the appropriate mode of decision-making for the Parish Education Committee. Consensus means that all committee members agree to support the decisions that appear to be the best, under the present circumstances, for the greatest number of people.

In order to provide the best consultation, the consensus method of decision-making is recommended. When the parish Education Committee is unable to reach a consensus, the minutes should report the different positions and appropriate reasoning to the parish pastoral council.

When the pastor is present at the meeting and concurs with the decisions that are reached, the parish Education Committee minutes should indicate his concurrence when they are conveyed to the parish pastoral council.

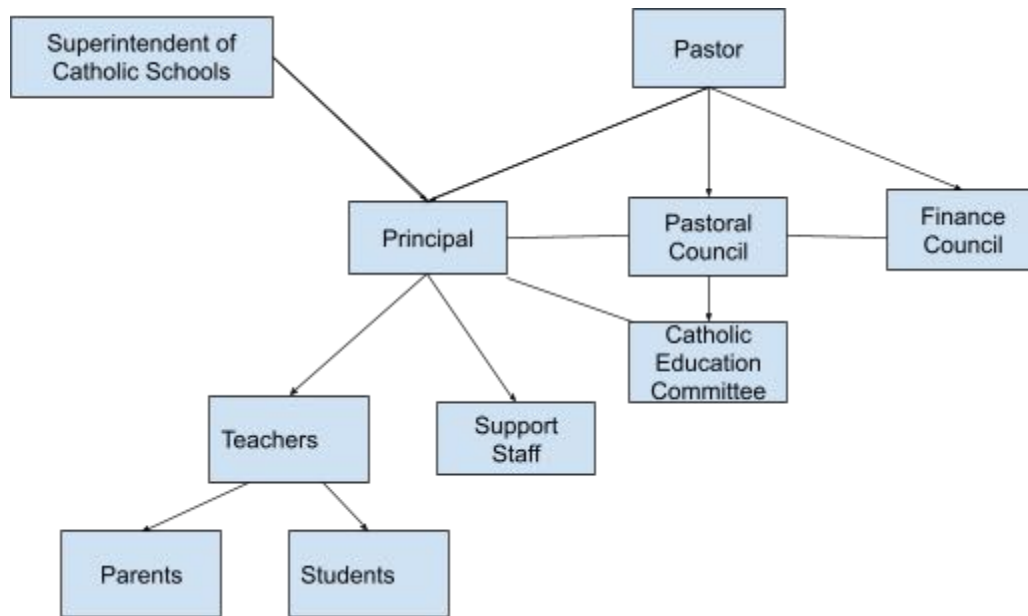
When the pastor is unable to attend a parish Education Committee meeting, he should receive the minutes and have the opportunity to comment on issues prior to the minutes' distribution. His signature on the minutes constitutes concurrence. The minutes are then conveyed to the parish pastoral council.

The Catholic Education Committee does not exist without pastoral authority, and may not convene without one.

#### **TASK FORCES (SUB-COMMITTEES)**

The Parish Education Committee may choose to operate with task forces which could include planning, finance, physical facilities and grounds, or development and public relations.

#### **PARISH EDUCATION COMMITTEE MODEL OF PASTORAL AUTHORITY**



## PASTORAL AUTHORITY

The pastor is given pastoral authority by the diocesan bishop. The pastor makes the final decision in school matters.

Dean: In matters of administrative recourse, the appeal will be sent to the dean.

The Superintendent of Catholic Schools consults with the local pastor and oversees the principal in matters of diocesan school policy and federal, state, and legal issues.

# OUTLINE FOR PARISH EDUCATION COMMITTEE BY-LAWS<sup>1</sup>

Parish Name

## Article I: Name of Organization

(In joint-parish education programs, include names of participating parishes and schools, if appropriate.)

## Article II: Purpose and Function

The committee is established by the pastor (dean in case of joint-parish education programs) to assist him and the parish's educational administrator (president, principal, director of religious education) in the operation and governance of the education program.

The committee has collaborative responsibilities in the following areas:

- A. Planning
- B. Policy Formation
- C. Financing
- D. Public Relations and Other Projects
- E. Participation in the Evaluation of Administrators
- F. Consultation and Information Sharing

## Article III: Relationships with Other Groups

- A. Pastor (Dean in joint-parish education programs)
- B. (Pastors in joint-parish education programs)
- C. Administrators (president, principals, directors of religious education)
- D. Parish Pastoral Council(s)
- E. Parish Finance Council(s)
- F. Parent Organization(s)
- G. Diocese

## Article IV: Membership

States requirements for membership, consecutive terms, and selection process. From 6-12 is a reasonable number of members. (In joint-parish education programs, it is sufficient for the dean alone and one pastor to represent the pastors. It is appropriate that each supporting parish have at least one lay member.) The dean, pastor, and school administrator are *ex officio* members in a joint-parish education program. The pastor, school administrator, DRE, etc. are *ex officio* members in a regular setting. Teachers should not be official members of the committee, but a teacher representative could be present.

## Article V: Nominations and Elections.

Provide rules for selection, length of terms, reasons for removal of a member, provisions for filling vacancies, and commissioning.

## Article VI: Officers

State what officers the committee is to have, their duties, manner of election and term of office, re-election rules, consecutive terms, and commissioning.

## Article VII: Meetings

Indicate schedule of meetings; quorum needed; presiding person, if the chairperson is absent; notification of agenda before meeting; operating procedures; open meetings; minutes (taking, keeping, distributing); recording and dissemination of committee work; provision for closed session; provision for suspension of normal method of operation.

## Article VIII: Executive Committee.

Outlines the composition of the executive committee, its duties, and meeting times.

## Article IX: Standing and Ad Hoc Committees.

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<sup>1</sup>CASE/NABE Governance Task Force. *A Primer on Educational Governance in the Catholic Church*. NCEA. 2001. Bishop Raymond L. Burke, Diocese of La Crosse DSP 9301, Revised 01/09/01, Revised 01/09/01.

Specify the functions of committees, the appointment of chairpersons and criteria for membership, and the purpose and responsibilities of the committees. (Standing committees should be few in number.)

**Article X: Amendments**

States the procedure governing revision and/or changes to the guidelines, notification time, or operating procedure.

**Article XI: Operating Procedures (Rules of Order)**

The committee should operate on the principles of consensus rather than on Robert's Rules of Order or parliamentary procedures. (This will ensure maximum participation and help avoid the win/lose situation.)

*Signature of Pastor*

*Date of Approval*

Many people confuse the responsibilities of a public school board with that of any school board. The Catholic Education Committee has a very different role than its public school counterpart.

| <b>PUBLIC SCHOOL BOARD</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>CATHOLIC SCHOOL EDUCATION COMMITTEE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Public schools are governed by elected or appointed boards whose source of authority comes from the citizens through the American democratic process. Public education is a function of the fifty separate states. The general assembly of each state has jurisdictional authority for public schools within the state in accord with its constitutional and court rules.</p> <ul style="list-style-type: none"> <li>• Derived power and authority from the state</li> <li>• Generate "law" /policy</li> <li>• The chief supreme educational authority for their community</li> <li>• Oversee education</li> <li>• Represent lay involvement</li> <li>• Provide a structure for public accountability</li> <li>• Provide a way for parents and community to influence vital policy issues affecting the schools</li> <li>• Set goals</li> <li>• Select Superintendent of Schools</li> </ul> <p>Functions:</p> <ul style="list-style-type: none"> <li>• Discretionary (judgemental acts)</li> <li>• Ministerial (service)</li> </ul> <p>Responsible for:</p> <ul style="list-style-type: none"> <li>• Policy</li> <li>• Budget</li> <li>• Employees</li> <li>• Students</li> <li>• Programs</li> </ul> | <p>The authority for Catholic schools is vested in the diocesan bishop and parish corporation which are responsible for ensuring that Catholic schools are organized and administered in accord with church and civil law. Thus Catholic education committees are <u>not</u> jurisdictional.</p> <ul style="list-style-type: none"> <li>• The board is constituted by the pastor or bishop to govern</li> <li>• The pastor or bishop clearly specifies in writing the areas in which the board has responsibility for governance</li> <li>• Consultative in areas of school governance: school-specific policy, budget/finance, diocesan policy</li> <li>• Ensure the Catholicity of the school and religious education</li> <li>• Ensure the educational administrator is qualified</li> <li>• Consultative to the bishop in areas reserved for the decision of the bishop</li> </ul> |

**EDUCATION AND THE LAW**

*Catholic elementary and secondary education programs are subject to both ecclesiastical and civil law.*

## **CANON LAW<sup>2</sup>**

The Code of Canon Law provides a framework for governance within the church. In the area of education, the code prescribes very general norms and leaves the establishment of specific laws and rules for the local chores. There are two basic systems in the church's approach to governance:

- A. *Executive* - the responsibility is placed in the hands of an individual who is supposed to work with other people in a collaborative or consultative manner. The individual, however, is responsible for taking the initiative, coming to the final decisions, ordering the implementation, and holding people accountable for carrying out the decision.
- B. *Collegial* - the same responsibilities are vested in a group, for example, the chapter of a religious congregation, which counts on individuals to carry out tasks.

Educational governance by the diocese and parish generally function out of the executive system. Summary of Canon Law that pertains to schools are:

*Can. 515 §1 - A parish is entrusted to a pastor by the authority of the bishop.*

*Can. 519 - The pastor carries out the functions of teaching, sanctifying, and governing with the assistance of lay members of the parish.*

*Can. 536 §1 - A pastoral council is to be established in each parish.*

*§2 - A pastoral council possesses a consultative vote only and is governed by the norms established by the diocesan bishop.*

*Can. 537 - In each parish there is to be a finance council.*

*Can. 796 §1 - Among the means to foster education, the Christian faithful are to hold schools in esteem; schools are the principal assistance to parents in fulfilling the function of education.*

*§2 - Parents must cooperate closely with the teachers of the schools to which they entrust their children to be educated; moreover, teachers in fulfilling their duty are to collaborate very closely with parents, who are to be heard willingly and for whom associations or meetings are to be established and highly esteemed.*

*Can. 797 - Parents must possess a true freedom in choosing schools.*

*Can. 798 - Parents are to entrust their children to those schools which provide a Catholic education.*

*Can. 800 §1 - The Church has the right to establish and direct schools of any discipline, type, and level.*

*§2 - The Christian faithful are to foster Catholic schools, assisting in their establishment and maintenance.*

*Can. 803 §1 - A Catholic school is under the direction of the local bishop.*

*§2 - The instruction and education in a Catholic school must be grounded in the principles of Catholic doctrine; teachers are to be outstanding in correct doctrine and integrity of life.*

*§3 - Even if it is in fact Catholic, no school is to bear the name Catholic school without the consent of the bishop.*

*Can. 804 §1 - The Catholic religious instruction and education are subject to the authority of the Church. The conference of bishops issue general norms and the diocesan bishop regulates and watches over them.*

*§2 - The local authority is to be concerned that those who are designated teachers of religious instruction in schools, even in non-Catholic ones, are outstanding in correct doctrine, the witness of a Christian life, and teaching skill.*

*Can. 805 - For his own diocese, the bishop has the right to appoint or approve teachers of religion and even to remove them or demand that they be removed if a reason of religion or morals requires it.*

*Can. 806 §1 - The diocesan bishop has the right to watch over and visit the Catholic schools in his Territory. He also issues policies which pertain to the general regulation of Catholic schools.*

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<sup>2</sup> CASE/NABE Governance Task Force. *A Primer on Educational Governance in the Catholic Church*. NCEA. 2001.

§2 - Directors of Catholic schools under the authority of the bishop are to ensure that the instruction which is given in schools is at least as academically distinguished as that in the other schools of the area.

### **CIVIL LAW<sup>3</sup>:**

Students and teachers in Catholic schools, and all private schools, are not protected by Federal Constitutional Law because they are in private agencies.

State Constitutional Law, however, may apply if:

1. state action can be found to be so pervasive within the school that the school can be considered a state agent. (i.e. an institution's acceptance of government monies; the tax-exempt status of the private institution; education as a quasi-state function; and state involvement with the school through accreditation or similar procedures and statutory requirements with which the school complies)
2. a compelling state interest, loosely defined as an overwhelming need for an action, can be shown.

Federal and state statutes and regulations govern the public school and may govern the Catholic school as well. Failure to comply with reasonable regulations can result in the imposition of sanctions.

Common law is the general universal law of the land. It is developed through court decisions over hundreds of years. Due process or fairness considerations can be considered part of the common law. While Catholic schools are not required to provide Constitutional due process to students and teachers, administrators are required to exercise fairness in their interactions with students and teachers.

- a. At minimum, a person accused of an infraction will be told of the charges and allowed to respond to them before a reasonable party.
- b. The Gospel requires that parents and students be treated fairly in Catholic schools.
- c. Parents and students have the right to demand fair treatment.

In Catholic schools, contract law is the predominant governing law. The five basic elements of a contract are considered to be (1) *mutual assent* by (2) *legally competent parties* for (3) *consideration* to (4) *subject matter* that is legal and in a (5) *form of agreement* which is legal.

### **TORT LAW<sup>4</sup>:**

Torte = a private or civil wrong or injury... for which the court will provide a remedy in the form of an action for damages.

#### **Corporal Punishment and Other Types of Abuse**

Unless corporal punishment is prohibited in all schools by state law, Catholic schools may use it. In the state of Wisconsin, it is not prohibited; however, the Diocese of La Crosse does not allow the use of corporal punishment.

As a mandated reporter, the teacher, principal, or pastor is responsible to present the information regarding abuse to social services or law enforcement. It is not their job to determine if abuse has occurred.

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<sup>3</sup> Shaughnessy, Mary Angela, SCN, JD, PhD. *The Law and Catholic Schools: A Guide to Legal Issues for the Third Millennium*. NCEA. 2005.

<sup>4</sup> Shaughnessy, Mary Angela, SCN, JD, PhD. *The Law and Catholic Schools: A Guide to Legal Issues for the Third Millennium*. NCEA. 2005.

The school and diocese must do everything in its power to prevent abuse of students by persons working within the school and parish – therefore all claims of abuse are taken very seriously and background checks are required.

### Search and Seizure

Catholic school educators are not bound by the Fourth Amendment search and seizure requirements, but the school or teacher can be subject to a suit for damages if a student alleges harm as a result of an unreasonable search.

Searching a student should require more cause than searching a locker. Private schools could be subject to tort suits if harm is alleged to have been done to a student because of an unreasonable search.

### Defamation

Defamation is the utterance of words in spoken or written form that are detrimental to the subject's reputation – almost anything negative said about someone could be construed as defamatory.

Privacy and reputation are two serious legal issues. Both students and staff members expect that information concerning them will be revealed only to those with a right to know.

All involved in the educational ministry of the school should refrain from gossip or unnecessary derogatory remarks about any members of the school community.

When making statements or writing entries in records, a person should restrict statements to pertinent facts. Committees should ensure that there are record-keeping policies in place that: (1) limit contents to records to what is absolutely necessary; (2) provide for periodic culling of older records; and (3) limit access to records to appropriate persons.

It is generally held that teachers have legal as well as moral rights to see whatever is in their files. Only school administrators have access to teacher files. Committee members have no legal right to access student or teacher records.

### Negligence

Negligence is the unintentional doing or not doing of something which wrongfully causes injury to another.

Case law indicates that teachers and administrators are expected to act as reasonable persons.

There are four elements necessary to constitute a finding of negligence:

1. The person charged must have had a duty in the situation.
2. The person charged must have been in violation of duties.
3. The violation of duties must be the proximate cause of an injury.
4. Someone had to have been injured.

A common legal standard judging supervision cases is, "the younger the child chronologically or mentally, the greater the standard of care expected." Committee members will not be responsible for actual supervision, but are responsible for seeing that appropriate policies and procedures for supervision are in place and are being implemented.

The best defense in a negligence suit is a reasonable attempt to provide for the safety of those entrusted to their care by the development and implementation of rules and policies. The reasonable committee ensures that administrators supervise teachers in their implementation of rules and policies.

## **DIOCESAN POLICIES**

The Department of Catholic Formation – Office of Schools has made available a school administrative manual for Catholic schools and their parishes in the Diocese of La Crosse. This manual is a reference and a collection of facts, policies, regulations, forms, procedures, guidelines, and suggestions that affect administrative, supervisory, and leadership responsibilities in the schools. The manual provides answers to questions and decisions in the schools and provides all administrators with the same information. All explanations, guidelines, and regulations in the manual are subordinate to diocesan policies.

## **CREATING SAFE AND SACRED PLACES FOR CHILDREN AND YOUTH**

In early 2003, the U.S. Bishops published the Charter for the Protection of Children and Young People, titled, *Promised to Protect, Pledged to Heal*. In order to fulfill the U.S. Bishop's Charter requirements, all parishes are expected to take the steps directed by the Diocese of La Crosse to provide a safe environment for children and youth. This will necessitate providing appropriate safe environment training to catechists, teachers, and employees who have not been previously trained as well as ongoing formation to those who have been trained. It will also require ongoing training of children and youth to safeguard them from abuse.

To provide a safe environment for children and young people, background checks must be completed for all employees and volunteers who are around minors.

## **CATECHETICAL CERTIFICATION**

Forming Effective Disciples is a process which officially recognizes the qualities and experiences of individuals in education and formation within the Catholic faith to teach and lead in their respective ministries. Everyone who is involved in the education and formation of children and adults in Catholic schools and parishes needs to participate in this program.