



## 4110.0

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **BACKGROUND CHECKS**

All paid school staff must have on file both BCI and FBI background checks and must attend “Protecting God’s Children.”

All volunteers must have on file a BCI background check and must attend “Protecting God’s Children” no matter how much or how little contact they have with children or youth, no matter if volunteering for the school or parish, and no matter what time of the day or night they volunteer.



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### PERSONNEL

#### **DIRECTIVES REGARDING CIVILIAN CRIMINAL BACKGROUND CHECKS AND CHILD PROTECTION TRAINING FOR EMPLOYEES AND VOLUNTEERS IN THE DIOCESE OF COLUMBUS**

##### **Clergy, Employees, and Applicants to Clerical Formation**

All clergy serving in the Diocese of Columbus; all parish, school, and diocesan employees; and all applicants to formation for the priesthood or permanent diaconate, regardless of their level of contact with children and youth, are required to complete a civilian criminal background check and participate in a *Protecting God's Children* training session. This policy is applicable to lay employees, professed religious, clergy, and clergy candidates.

##### **Catholic School Volunteers and Volunteers in Parish Programs/Ministries for Children and Youth**

Every volunteer in a program or ministry for children and youth, regardless of their level of contact with children and youth, is required to complete a civilian criminal background check and participate in a *Protecting God's Children* training session. Duration of service does not mitigate compliance with this policy.

*Examples: Catholic School volunteers, Parish School of Religion (PSR) volunteers, youth ministry volunteers, field-trip chaperones and drivers, Scout leaders, coaches and other recreation volunteers, Vacation Bible School volunteers, Children's Liturgy of the Word volunteers, pre-school volunteers, nursery volunteers*

##### **Volunteers Working with Children and Youth in Other Parish Programs/Ministries**

Volunteers for other parish programs or ministries who have been delegated care, custody, or control of children and youth are required to complete a criminal background check and participate in a *Protecting God's Children* training session. Duration of service does not mitigate compliance with this policy.

*Examples: Parish festival volunteers staffing activities for children/youth, volunteer choir director (if choir includes children and/or youth), service coordinators (if service programs include children or youth)*



## **4110.1** (cont'd)

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### **PERSONNEL**

#### **Other Parish Volunteers and Adults**

Although they are not required to do so by diocesan policy, the Diocese of Columbus strongly encourages all other parish volunteers to complete civilian criminal background checks and attend *Protecting God's Children* training sessions. All parents and other interested adults are encouraged to attend a *Protecting God's Children* training session which must be attended in-person. Alternative training for victims and survivors of sexual abuse is available through the Safe Environment Program. The safety of children and young people is best assured when all adults have been trained and understand how to build a safe environment for children.

*Examples: Lectors, ushers, festival workers, choir members, and so forth.*

#### **Civilian Criminal Background Checks for New Clergy, Employees, Volunteers, and Applicants to Clerical Formation**

Civilian criminal background checks are completed through the Ohio Bureau of Criminal Identification and Investigation (BCII) and must be completed by the first day of one's incardination (for a priest or deacon arriving to serve in this diocese from another diocese), employment, or service to the parish or school. Anyone formally applying to be a candidate for the priesthood or permanent diaconate must have a completed criminal background check through the Ohio Bureau of Criminal Identification and Investigation (BCII) prior to acceptance into formal formation. Anyone who has not been a legal resident of Ohio for the past consecutive 5-years is required to complete a Federal Bureau of Investigation (FBI) civilian criminal background check. An FBI civilian criminal background check must at least be in process by the first day of one's employment or service to the parish or school.

Copies or transfers of completed civilian criminal background checks are only accepted from one parish or school in the Diocese of Columbus to another parish or school in the Diocese of Columbus. Copies of completed civilian background checks from individuals or other institutions are not acceptable.

A new background check must be conducted if a cleric, employee, volunteer, or clerical candidate has a significant (more than 1 year) gap in their employment, service, or formation in the diocese.



## **4110.1 (cont'd)**

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### **PERSONNEL**

Parishes and schools should exercise prudence when reviewing any offenses that are identified by a civilian criminal background check. Offenses that would prevent someone from serving in programs and ministries with children or youth include, but are not limited to:

- Abduction
- Aggravated assault
- Aggravated burglary
- Aggravated menacing
- Aggravated murder; specific intent to cause death
- Aggravated robbery
- Assault
- Burglary
- Carrying concealed weapons
- Child enticement
- Child stealing
- Compelling prostitution
- Contributing to the unruliness or delinquency of a child
- Corrupting another with drugs
- Corruption of a minor
- Disseminating matter harmful to juveniles
- Domestic violence
- Endangering children
- Failing to provide for functionally impaired person
- Felonious assault
- Felonious sexual penetration
- Funding of drug or marijuana trafficking
- Gross sexual imposition
- Having a weapon while under a disability
- Illegal administration or distribution of anabolic steroids
- Illegal manufacture of drugs or cultivation of marijuana
- Illegal use of a minor in nudity oriented material or performance
- Impositioning (now importuning)
- Improperly discharging a weapon at or near a school or dwelling
- Interference with custody
- Involuntary manslaughter
- Kidnapping
- Murder
- Pandering obscenity
- Pandering obscenity involving a minor
- Pandering sexually oriented matter involving a minor
- Patient abuse, neglect
- Placing harmful objects in food or confection
- Possession of drugs (that is not a minor drug possession offense)
- Procuring
- Promoting prostitution (children)
- Prostitution: after positive HIV test
- Public indecency
- Rape
- Robbery
- Sexual battery
- Sexual imposition
- Trafficking in drugs
- Unlawful abortion
- Voluntary manslaughter
- Voyeurism



## 4110.1 (cont'd)

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### PERSONNEL

#### **Child Protection Training for Clergy, Employees, Volunteers, and Clergy Applicants**

Although it is preferable for new clergy, employees, volunteers, and clergy applicants to have attended a *Protecting God's Children* training session prior to working with children and youth, they have a grace period of up to six-weeks from their start date to attend a *Protecting God's Children* training session. If this grace period is needed, supervisors are to verify that the new employee or volunteer is pre-registered for a scheduled *Protecting God's Children* session by the first day of their work with children or youth. Special care must be taken to ensure that short-term volunteers receive this training in a timely manner that will properly prepare them for their service.

The *Protecting God's Children* program includes not only information on the scope of child sexual abuse, but also contains a plan for its prevention at parishes and schools. Individuals that have attended child sexual abuse awareness programs from other institutions are still required to attend a *Protecting God's Children* training session unless he or she can provide documentation that the previously attended program covered the same subject material and the Chancery Office grants approval.

Persons that have participated in a *Protecting God's Children* program in another diocese can request that their former diocese transfer their training record to the Diocese of Columbus.

If an employee or volunteer moves from a parish or school in the Diocese of Columbus to another parish or school in the Diocese of Columbus, the new parish or school should notify the diocese to request that the training record of the employee or volunteer be transferred.

Due to the sensitive nature of the *Protecting God's Children* program, some victims of child sexual abuse may not feel comfortable attending a *Protecting God's Children* training session. Anyone in this particular situation may request to receive the materials needed for child protection training in an alternate way. These requests are made through the Office of Safe Environment. All requests for alternate child protection training for victims of child sexual abuse are kept confidential.

## Policy # 4110.5

### Verification of Employment

Effective: July 2021

Revised:

<input type="checkbox"/>	Elementary	<input checked="" type="checkbox"/>	Policy
<input type="checkbox"/>	Secondary	<input type="checkbox"/>	Regulation
<input checked="" type="checkbox"/>	Both		

#### Overview

It is the general policy of the Office of Catholic Schools and its related entities to provide only the dates of employment and position(s) held within the organization when asked for reference information on current and previous employees. If verification of employment is requested related to loan refinancing, the business manager at the local-level school can provide verification.

If verification of employment for service years is requested for former school administrators and teachers, the process outlined below is to be followed by the local-level school administration.

#### Verification of Employment for Service Years Process

1. Verification of employment for service years forms are to be emailed or mailed to the Office of Catholic Schools.
2. The Office of Catholic Schools will contact the Catholic schools listed on the form and request verification of information provided on the form.
3. Once all information is verified, the verification of employment for service years form will be signed by the Superintendent of Catholic Schools and emailed or mailed to the requesting school system/district.
4. A copy of the completed form is retained in the files at the Office of Catholic Schools.



## **4110.1** (cont'd)

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### **PERSONNEL**

#### **Child Protection Continuing Education for Clergy and Other Personnel**

Mandatory completion of monthly online VIRTUS Protecting God's Children™ training bulletins will apply only to priests, deacons, seminarians, deacon candidates, catechetical leaders, youth ministers, school principals and assistant principals in the Diocese of Columbus for the first year following ordination, entrance into the seminary or deacon formation program, or commencing employment in the Diocese as a school principal or assistant principal, a director/coordinator of religious education, or director/coordinator of youth ministry. If a person has already completed a year of mandatory online continued training and is subsequently ordained or changes employment within the diocese, he or she will not be required to complete another year of mandatory online continued training.

The Office of Safe Environment will continue to track the compliance only of those for whom mandatory completion applies. At the conclusion of the first year of mandatory completion, a report describing each person's compliance with this policy will be generated and sent to the Chancery.

All who were previously required to complete the training bulletins will continue to receive the bulletin notices and are encouraged to review them.

#### **Authority to Interpret This Policy**

Interpreting of this policy in unique circumstances or its application in unclear situations shall be made by or at least receive the prior approval of the Vicar General or his delegate.

**Office of Catholic Schools  
Catholic Diocese of Columbus**

Adopted 8/06

Reviewed 5/15

Revised 8/10



## 4111.0

ELEMENTARY

POLICY

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### PERSONNEL

#### **RECRUITMENT AND SELECTION OF CERTIFIED STAFF**

The Diocese makes employment decisions based upon factors such as performance abilities, talent, effort, and results. The Diocese provides equal employment opportunity to all qualified individuals without regard to race, color, religion (with due regard to those positions where religion is an employment factor and are to be filled by a practicing Roman Catholic or a priest because of the ecclesial nature of such positions), sex, national origin, age, ancestry, citizenship, non-disqualifying disability, or other legally protected status. (Note: Some state and federal laws may not apply to ministerial employees). Within the Diocese of Columbus, licensed staff members are to be recruited, employed, assigned, evaluated, and provided in-service education without discrimination on the basis of age, race, sex, handicap, or national origin.

In the event a teacher's position is available, and two candidates are equally qualified in all other respects, preference should be given to the candidate who is an active, participating Catholic. All teachers of religion must be active, participating Catholics.

Since the principal and assistant principal of the school are expected to lead all faculty members and other members of the school community into a deeper appreciation for the Catholic faith, the principal or assistant principal must be an active, participating Catholic.

**Office of Catholic Schools  
Catholic Diocese of Columbus**

Adopted 4/76  
Reviewed 5/89, 8/95, 8/00, 8/10, 5/15  
Revised 2/81, 5/84, 9/86, 5/87, 8/05



## 4111.1

ELEMENTARY

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BOTH

### PERSONNEL

#### **TEACHERS OF OTHER FAITH TRADITIONS**

All who teach in the Catholic schools are required to implement the philosophy and goals of the school by publicly supporting those policies, programs, practices, and regulations which express the school's religious character and commitment by using instructional opportunities to develop students' abilities to deal with reality from a Catholic perspective; being knowledgeable about the school's religious education program and activities; and attending school-sponsored liturgical celebrations, prayer services, and in-service meetings of a religious nature. While implementing the philosophy and goals of the school involves attendance at and support of the school's specifically Catholic activities, and while the school may invite teachers of other faith traditions to participate more fully in its religious life, the school must, at all times, respect the individual consciences, personal integrity, and religious beliefs of those who hold differing religious convictions. It is not permissible for a teacher to use his or her teaching position to impugn the Catholic Church or its doctrines.

Representatives of the Catholic school have the responsibility to communicate their expectations to all applicants for teaching positions and to hold teachers accountable for these expectations. Applicants who are of other faiths must be told at the time of their application that they are not permitted to teach religion.

**Office of Catholic Schools  
Catholic Diocese of Columbus**

Adopted 5/81  
Reviewed 8/00, 8/10, 5/15  
Revised 5/89, 8/95, 8/05



## 4112.0

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **ASSIGNMENT OF CERTIFIED STAFF MEMBERS**

Certified staff members shall be assigned responsibilities commensurate with their area(s) of certification and in accordance with written job descriptions.



## 4112.05

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **POSTING OF FULL AND PART-TIME ADMINISTRATIVE AND TEACHING OPENINGS**

Principals are responsible for informing the Personnel Assistant who shall post on the Diocesan Office of Catholic Schools website notice of all administrative and teaching openings.

All position openings, including newly created positions, must be posted by the principal locally at least one calendar week prior to posting on the Diocesan Office of Catholic Schools website.



## 4112.1

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **TEACHING CONTRACTS – FULL TIME**

A full-time licensed employee is defined as one who is under contract by one or more schools to work in an assignment which requires a minimum of one hundred twenty (120) teaching days and a minimum of five (5) hours per day four (4) days per week in one school year.

The contract shall set forth the employee's regular professional duties, time during which the employee is required to be on duty, and salary.

Insurance coverage as provided by the specific terms of the diocesan insurance programs is available for staff members meeting eligibility and participation requirements of the specific programs.

Participation in the diocesan retirement plan is required and governed by eligibility and participation requirements as set forth in the plan.



## 4112.11

ELEMENTARY

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BOTH

### PERSONNEL

#### **INDIVIDUAL CONTRACTS - FULL TIME AND PART-TIME**

Teachers whose contracts are to be renewed must receive their signed contracts by May 15<sup>th</sup> of the school year in which they are currently employed. Teachers must sign and return the contract no later than May 30<sup>th</sup>. No teacher shall terminate his or her contract after the 10th day of July of any school year or during the school year, prior to the termination of the annual session, without the consent of the superintendent, pastor, or principal.

Teachers whose contracts are not to be renewed must be notified of such decision, in writing, by May 1<sup>st</sup> in 2014-15 school year and by May 15<sup>th</sup> in the school years thereafter.



## 4112.12

ELEMENTARY

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BOTH

### PERSONNEL

#### **PROFESSIONAL DEVELOPMENT PLANS**

Teachers who have not filed current Individual Professional Development as required by the State of Ohio by April 15 will receive non-renewal letters.

**Office of Catholic Schools**  
**Catholic Diocese of Columbus**

Adopted 8/01  
Reviewed 8/05, 5/15  
Revised 8/10



## 4113.0

ELEMENTARY

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REGULATION

BOTH

### PERSONNEL

#### **LICENSURE/CERTIFICATION**

- A. All supervisors, principals, and teachers in the schools of the Diocese of Columbus shall hold appropriate license/certificate that is recognized and accepted by the Ohio Department of Education.
- B. Application for license issuance or renewal may be completed through the Ohio Department of Education website. The current Individual Professional Development Plan and an “LPDC Verification Form for Licensure” must be sent to the Local Professional Development Committee (LPDC), care of the School Personnel Assistant, along with a check or money order for processing, and all official transcripts or CEU credits required for license renewal. LPDC signatures will be required for renewal, and verification will be done online by the Superintendent or his designee.
- C. In each teacher’s file at the Diocesan Office of Catholic Schools, there should be a facsimile copy of the transcript of college credits and a copy of a current Ohio teaching license/certificate, verification of attendance at “Protecting God’s Children”, and verification of BCI and FBI background checks.
- D. At the beginning of each school year the principals of elementary and secondary schools shall send to the HR Assistant for Teacher Personnel a registration form filled out by each teacher, giving the address, telephone, experience, salary, date of birth, and State ID number and license expiration date.

**Office of Catholic Schools  
Catholic Diocese of Columbus**

Adopted 8/71  
Reviewed 9/80, 8/00, 8/10,  
Revised 5/89, 10/91, 8/95, 8/05, 5/15



## 4113.01

ELEMENTARY

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BOTH

### PERSONNEL

#### **TEACHER AIDES**

Anyone assisting in a classroom on a regular basis that is a paid employee must have an Educational Aide Permit.



## 4113.02

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **PUPIL ACTIVITY PERMIT**

The State requires anyone, whether licensed or unlicensed, who directs, supervises, or coaches a program that involves athletes, routine or regular physical activity, or health and safety considerations to hold a Pupil Activity Permit.



**Policy # 4113.05**

## Licensure and Professional Development

Effective: September 1998

Revised: July 2021

- Elementary
- Secondary
- Both
- Policy
- Regulation

All licensed employees of the schools in the Diocese of Columbus are subject to the requirements outlined in “How to maintain Teaching Status in the Diocese of Columbus” on the Diocesan Website <https://education.columbuscatholic.org/policies-1> Failure to meet these standards according to the timeline established by the State of Ohio and/or the Diocesan Office of Catholic Schools voids any signed contractual agreement.

All educators in the schools of the Diocese of Columbus who hold a permanent certificate or a permanent non-tax certificate are subject to the same renewal requirements as a teacher who holds a professional license. Failure to meet the timeline established by the Diocesan Office of Catholic Schools voids and signed contractual agreement.



**Policy # 4113.08**

**Religious Education Certification  
– All Teachers and All Administrators  
Pre-K through 12<sup>th</sup> Grade**

<input type="checkbox"/>	Elementary	<input type="checkbox"/>	Policy
<input type="checkbox"/>	Secondary	<input checked="" type="checkbox"/>	Regulation
<input checked="" type="checkbox"/>	Both		

Effective: August 2011

Revised: July 2021

The Franciscan University of Steubenville Catechetical Institute is the certification program for all faculty and administrators. The workshops through the institute provide a synthesis of formation in scripture, doctrine, and spirituality through building based mentoring. The spiritual formation component is core. Therefore, there are no opt out or equivalent course work through theological studies, trainings, etc.

All new teachers Preschool through 12<sup>th</sup> grade, beginning in the school year 2020-2021 are required to complete the New Teacher Ministry formation program through the Catechetical Institute at FUS. Teachers have 3 years to complete the program beginning with the start date of employment.

All new administrators Preschool through 12<sup>th</sup> grade, beginning in the school year 2020-2021 are required to complete the New Administrator formation program through the Catechetical Institute. Administrators have three years to complete the program from the start date of employment.

All teachers and administrators are required to take one workshop a year through the Catechetical Institute beginning in the school year 2020-2021.

All current (returning) teachers and administrators in the process of certification under the previous program, complete the certification with the CI equivalent workshops.

All teachers and administrators that have completed the previous requirements for Intro, basic, and advanced take one workshop a year through CI for professional development.

**Policy # 4113.1**

## Qualifications for Teachers of Religion

Effective: July 1985

Revised: July 2021

<input type="checkbox"/>	Elementary	<input checked="" type="checkbox"/>	Policy
<input type="checkbox"/>	Secondary	<input type="checkbox"/>	Regulation
<input checked="" type="checkbox"/>	Both		

Teachers in Catholic schools exercise a special ministry in the Church. “The summit and center of catechetical formation lies in the aptitude and ability to communicate the Gospel message” (General Directory for Catechesis # 235)

Therefore, in order to communicate the Gospel message, the following are considered to be the minimum qualifications to be a teacher of religion:

1. Religion teachers are to be members of the Roman Catholic faith (see policy 4111). They possess a basic understanding of the teachings and the traditions of the Roman Catholic Church. They give witness to the beliefs of the Church and they participate in the sacramental life of the Church.
2. Religion teachers demonstrate ongoing academic and professional development which leads them to foster their own growth in faith and the growth in faith of the school and community.
3. All Preschool teachers are teachers of religion and are working toward certification according to Policy 4113.08.
4. Elementary religion teachers are certified or are working toward certification according to Policy #4113.08.
5. Secondary religion teachers are certified or are working toward certification according to Policy # 4113.2 and #4113.08.

**Policy # 4113.2**

## Teachers of Religion - Secondary

Effective: May 1980

Revised: July 2021

<input type="checkbox"/>	Elementary	<input checked="" type="checkbox"/>	Policy
<input checked="" type="checkbox"/>	Secondary	<input type="checkbox"/>	Regulation
<input type="checkbox"/>	Both		

### 1. Certification for Full Time Teachers of Religion

High school teachers of religion shall be certified by the Diocese of Columbus. This certification consists of meeting the requirements established jointly by the Office of Catholic Schools.

To be certified by the Diocese of Columbus, full-time teachers of religion must meet the following requirements:

- Have a bachelor's degree with at least 30 semester hours or 45 quarter hours, in theology, religious education, or religious studies. This course work must include hours in each of the following areas: scripture, doctrine, catechetical methodology, systematics, historical, moral, and liturgical theology.
- Have taken an accredited course in secondary instructional methods and /or catechetical methodology.
- Have successfully completed one quarter of student teaching. However, if a high school religion teacher has not had student teaching, this requirement may be met by one semester of supervised teaching within the high school. Student teaching may be waived for veteran teachers who have demonstrated satisfactory performance during the five-year period immediately preceding the date of their application for diocesan certification.

### 2. Part-Time Teachers of Religion

To be certified by the Diocese of Columbus, part-time high school religion teachers must have a minimum of 18 semester hours or 27 quarter hours in theology, religious education or religious studies.

Part-time teachers of religion must be fully qualified in the particular religion courses they teach.

### 3. Length of Certification

A certificate is granted for a period of five years.

### 4. Renewal of High School Religion Certification

To renew a high school Religion certificate, a full-time teacher must meet one of the following requirements within the five-year period of the certificate.

### 5. Requirements for Renewal of High School Religion Certificate

- Obtain a master's degree or 30 hours of graduate credit in theology, religious education or religious studies from an accredited Catholic university or college,  
  
-or-
- Take six semester hours or nine quarter hours of college credit in theology, religious education or religious studies from an accredited Catholic university or college,  
  
-or-
- Complete 18 CEU's (180 clock hours) of conferences, in-services and workshops from an accredited university or college or an educational institution. Theology, religious studies, and religious education credits are required to be earned from an accredited Catholic university or college or a Catholic institution or educational organization. Workshops through the Catechetical Institute are 3 hours /.3 CEUs.

### 6. Part-Time High School Religion Teachers Certificate Renewal

In order to renew the certificate, a part-time teacher must fulfill the requirements for renewal as above by taking hours that are proportionate to their teaching assignment in religion.



## 4113.24

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### **PERSONNEL**

#### **CAMPUS MINISTERS – CERTIFICATION AND CONTINUING EDUCATION**

In accordance with policy #6141.1, each diocesan High School shall implement a comprehensive Campus Ministry Program.

Campus ministers who teach religion in the High School shall be certified by the Diocese of Columbus (see policy # 4113.2.) This certification consists in meeting the requirements established jointly by the Office of Catholic Schools and the Office of Religious Education & Catechesis.

Campus ministers, including persons who do not teach religion in the High School, shall be certified in youth ministry by the Diocese of Columbus. This certification consists in meeting requirements established by the Office of Youth and Young Adult Ministry.

Advanced certification in religion shall satisfy the theological component of youth ministry certification.

Beginning with the 2004-2005 school year, campus ministers must have acquired youth ministry certification before beginning his/her third year of employment as campus minister.

If a team model to campus ministry is utilized, the primary campus ministry coordinator shall be considered campus minister for purposes of certification.

All campus ministers are expected to continue their professional growth/development through courses, workshops, conferences, etc. The Office of Youth and Young Adult Ministry provides in-service opportunities for campus ministers throughout the school year. Campus ministers are expected to be present for those sessions whenever possible and to assist in the planning and evaluation of diocesan-sponsored in-service days.

In addition to the above in-service opportunities, the High School should budget for other professional growth activities such as the OCEA, the NCCYM, or a workshop or seminar of the campus minister's choice.



## 4114.1

ELEMENTARY

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### PERSONNEL

#### **AIDS**

The Diocese of Columbus recognizes that HIV/AIDS (Acquired Immune Deficiency Syndrome) and/or symptomatic or asymptomatic infection with the human immunodeficiency virus (HIV) is a life-threatening disease and a major health issue. The epidemic proportions of this disease prompted the diocesan school system to adopt a policy which seeks protection of the rights and welfare of all students and staff.

#### ATTENDANCE AND EMPLOYMENT

In keeping with the recommendations of the Surgeon General's report and with other diocesan policies regarding participation in our schools by those who have handicapping conditions, each case of a staff member with HIV/AIDS shall be dealt with individually. Staff who are diagnosed as having HIV/AIDS shall remain in their jobs and perform their essential responsibilities as their illness allows.

#### CONFIDENTIALITY

The diocese recognizes the dignity and rights of all employees and is sensitive and responsive to the concerns of those who have HIV/AIDS. Information concerning the health of any employee with HIV/AIDS shall be treated as confidential.



## 4114.1 (Cont'd)

ELEMENTARY

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### PERSONNEL

#### PROCEDURE

When an employee discloses to the principal that he/she has AIDS, the following shall occur:

- 1.) The principal will notify the superintendent and, in the case of an elementary school, the pastor.
- 2.) The employee's physician will recommend whether the employee's medical condition will allow the employee to remain at work based on the essential functions on the employee's job description.
- 3.) If the employee's physician determines that the employee should not continue with employment duties, the employee may utilize leave and/or other benefits that are available.
- 4.) If the employee's physician determines that, based on medical evidence, attendance at work is viable; the employee's physician communicates that determination in writing to the superintendent, principal, and pastor (elementary).
- 5.) The employee's immediate supervisor and the employee's physician will work Together to monitor the employee and keep the superintendent and pastor (elementary) informed of any changes.

Schools in the Diocese of Columbus shall follow the most current Ohio Department of Health recommended procedures in regard to HIV/AIDS and the handling of bodily fluids in the schools.



## 4114.2

ELEMENTARY

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### PERSONNEL

#### **HANDWASHING**

Schools shall follow procedures as outlined in the Emergency Operations Plan for the Diocese of Columbus Schools. See Pandemic section “Establish Healthy Habits Now to Prevent Flu and Other Illness” and CDC poster.



## 4114.3

ELEMENTARY

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### PERSONNEL

#### **BLOODBORNE PATHOGENS**

Bloodborne pathogens are infectious materials in blood that can cause disease in humans, including hepatitis B and C and human immunodeficiency virus (HIV).

Building policies should reflect and establish the following training and exposure control procedural protocol for compliance with standard handling of blood borne pathogens:

- Identify those staff members whose duties create a reasonable anticipation of exposure to blood and other infectious materials
- Train employees on how to minimize their occupational exposure
- Offer of immunization with Hepatitis B vaccine for all staff who are required to provide first aid or have occupational exposure and are identified at risk
- Follow guidelines on how to handle potentially contaminated materials and identify situations when protective clothing should be worn
- Provide for record-keeping of reporting, evaluation, and follow-up to any and all incidents of exposure



## 4115.0

ELEMENTARY

POLICY

SECONDARY

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BOTH

### PERSONNEL

#### **ASSIGNMENT AND TRANSFER**

When two or more schools merge or consolidate, licensed personnel shall be hired from among those who were employed by the merging schools. The interviews and selection of these personnel will be carried out by a group designated by the superintendent. When a merger is announced prior to April 15 of any school year, reasonable effort will be made by the School Personnel Assistant to assist any licensed personnel not hired by the consolidated school in finding new positions.



## 4115.01

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **TEACHER ASSIGNMENTS**

**A) Registration:** No teacher may engage in a school of the diocese for any instructional duty (classroom, compensatory, foreign language, athletic, music, physical education, etc.) whether full time or part time, unless he/she has been registered in the Diocesan Office of Catholic Schools and approved by the Superintendent or School Personnel Assistant for employment.

Such registration consists of filing a formal on-line application with the Office of Catholic Schools. When a new teacher is hired, the school sends to the Office of Catholic Schools copies of his/her teaching license/certificate, college transcript, credentials from the teacher's college placement office or letters from former school employers if the teacher has not already submitted these to the School Personnel Assistant. In addition, a certificate of attendance at "Protecting God's Children," BCI and FBI background check verification shall be included.

Teachers who transfer from one diocesan school to another shall follow the same procedures. A principal, before considering such an applicant, shall consult with the principal of the school that the teacher is leaving.

When prospective teachers apply directly to an individual school, they should be directed to make application to the Office of Catholic Schools and should not be engaged without the requisite approval of their application.

**B) Qualifications:** Teachers shall possess at least the minimum academic and professional preparation requisite for the subject and school level to which they are assigned. The criterion for this is an Ohio Certificate/License for the grade and areas taught.



## 4115.1

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **ASSIGNMENT OF LIBRARY/MEDIA SPECIALISTS**

In order to assure quality library/media programs for all students, each secondary school must have the services of at least one full-time licensed media specialist and have sufficient support staff for that person (or persons). Each elementary school must have the services of a licensed library/media specialist.

Exceptions to the policy may be granted only by the Superintendent of Schools.



## 4116.05

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **JOB DESCRIPTION FOR TEACHERS**

**TITLE:** Teacher

**QUALIFICATIONS:** Appropriate state certification/license:

- a) as required by the grade levels and subjects taught
- b) Religious Education certification as required by the diocese

**RESPONSIBLE TO:** Principal

**JOB GOAL:** To assist students in mastering the skills and information in the school curriculum while helping them to grow in faith and responsibility.

**THE EIGHT STANDARDS OF PROFESSIONAL COMPETENCY INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, THE FOLLOWING:**

**Standard 1:** Teachers in the Catholic Schools of the Diocese of Columbus know, understand and contribute to the integration of Catholic teachings and virtues throughout the curriculum and school culture as it supports faith formation and student learning.

**Standard 2:** Teachers understand student learning, development, and faith formation while respecting the diversity of students.

**Standard 3:** Teachers know and understand the content for which they have instructional responsibility.

**Standard 4:** Teachers understand and use varied assessments to inform instruction, evaluate and ensure student learning.



## 4116.05 (Cont'd)

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

**Standard 5:** Teachers plan and deliver effective instruction that advances the learning of each individual student.

**Standard 6:** Teachers create Christ-centered learning environments that promote high levels of learning and achievement for all students.

**Standard 7:** Teachers collaborate and communicate with students, parents, other educators, administrators and the faith community to support student development, learning and faith.

**Standard 8:** Teachers assume responsibility for their professional academic/spiritual growth, performance, and involvement as an individual and as a member of a Catholic learning community.



**4116.06**

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

**PERSONNEL**

**USE OF DIOCESAN E-MAIL ACCOUNTS**

Every teacher employed by the Diocese of Columbus must have a diocesan e-mail account. Since communication is critical, all teachers are expected to review e-mails Monday through Friday during the academic year. These accounts are to be used exclusively for all school related business.



## 4116.1

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **ADHERENCE TO CATHOLIC CHURCH TEACHINGS**

All school personnel who serve in Catholic schools shall be examples of Catholic moral behavior and professionalism. As explained by the National Conference of Catholic Bishops:

The integration of religious truth and values with the rest of life is brought about in the Catholic school not only by its unique curriculum but, more important, by the presence of teachers [personnel] who express an integrated approach to learning and living in their private and professional lives.

All school personnel, regardless of their religious affiliation, are therefore required to abide by the moral values advanced by the teachings of Christ, the tenets of the Catholic Church, and the policies and regulations of the Diocesan Department for Education, the Diocese and the employing school. School personnel may be disciplined or terminated for violations of these standards, or any conduct which is contrary to, or rejects or offends the teachings, doctrines, or principles of the Catholic Church. While there may be others not mentioned below, examples of conduct that may result in termination of employment include:

Public support of activities or beliefs contrary to Catholic Church teaching;

Public statements disparaging or causing contempt against religion in general or the Catholic Church in particular; Entry into a marriage which is not recognized by the Catholic Church; Having an abortion or publically supporting abortion rights; Sexual relations (same or opposite sex) outside the institution of marriage as recognized by the Catholic Church; Pursuing or publically supporting in vitro fertilization.



## **4116.1** (cont'd)

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### **PERSONNEL**

Diocesan Department for Education policies and regulations are available online at [www.cdeducation.org/Policies](http://www.cdeducation.org/Policies). The teachings of the Catholic Church can be found in “The Catechism of the Catholic Church” which is online at: [http://www.vatican.va/archive/ENG0015/\\_INDEX.HTM](http://www.vatican.va/archive/ENG0015/_INDEX.HTM).

Should you have any questions, feel free to contact the Diocesan Human Resources Director at 614-241-2537. For CONFIDENTIAL questions or concerns, please email your question to [confidential@colodioc.org](mailto:confidential@colodioc.org).



## 4116.12

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **EDUCATOR MISCONDUCT**

Ohio law requires school districts to report incidents of misconduct by a certificate or license holder to the Ohio Department of Education. **The Diocesan Superintendent is to be contacted immediately upon the occurrence of any of the following:**

- 1) An employee has pled guilty or been found guilty of, or is eligible for intervention or pre-trial diversion for, **a criminal offense** listed in Revised Code Sections 3391.31(B)(2) or (C), or Section 3319.39(B)(1) (which are generally felony offenses, misdemeanor sex offenses, and offenses of violence, theft, or drug abuse);
- 2) When termination or non-renewal occurs, or such proceedings are initiated because it is determined that an employee has committed an **act that is unbecoming to the teaching profession** or one of the criminal offenses listed above;
  - a) Conduct “unbecoming to the teaching profession” is described in the Ohio Department of Education Licensure Code of Professional Conduct for Ohio Educators, Section 3301-73-21 of the Ohio Administrative Code, and/or any other standards promulgated by the State or the Department.
  - b) The Department of Education Professional Conduct Code includes the failure to adhere to the following as conduct unbecoming to the profession:
    - behave in a professional manner;
    - maintain a professional relationship with all students;
    - accurately report information required by the local board of education or governing board, state education agency, federal agency or state or federal law;
    - adhere to federal, state and local laws and statutes regarding criminal activity;
    - comply with state and federal laws related to maintaining confidential information;
    - serve as positive role models and refrain from using, possessing or unlawfully distributing illegal or unauthorized drugs;
    - ensure that school property, public funds or fees paid by students or the community are used in the best interest of students and not for personal gain;
    - fulfill all of the terms and obligations in their employment contract.



## 4116.12 (cont'd)

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

c) Factors that may be considered when evaluating conduct unbecoming to the person's position include:

- crimes or misconduct involving minors or school children;
- crimes or misconduct involving academic fraud;
- making, or causing to be made, any false or misleading statement or concealing a material fact in obtaining issuance or renewal of any licensing documents;
- crimes or misconduct involving the school community;
- a plea of guilty to, a finding of guilt, or a conviction to any offense enumerated under Section 3319.39 of the Revised Code;
- a violation of the terms and conditions of a consent agreement with the State Board of Education;
- any other crimes or misconduct that negatively reflect upon the teaching profession.

(See OAC 3301-73-21.)

3) An employee has resigned under threat of termination or non-renewal for criminal acts or acts unbecoming to the teaching profession; and

4) An employee has resigned during the course of an investigation of alleged educator misconduct.

The Office of Catholic Schools expects that teachers employed in its schools will abide by all licensure and applicable requirements, as they exist from time to time, and that the Office and schools will comply with the misconduct reporting requirements issued by the State.



**4116.15**

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

**PERSONNEL**

**HARASSMENT POLICY**

- 1) Harassment can take many forms. Harassment can occur at any school activity, and/or can take place in classrooms, halls, cafeterias, or even at programs sponsored by the school at other locations. It does not include compliments of a socially acceptable nature. Harassment is verbal or physical conduct that embarrasses, denigrates, or shows hostility toward a person because of his/her race, color, religion, gender, sex, national origin, age, ancestry, citizenship, or disability or other protected characteristics.
- 2) It is the policy of the Catholic schools of the Diocese of Columbus to maintain a working and academic environment, in all programs and activities, free of all forms of harassment and intimidation. No student, teacher, or other staff member - male or female - should be subject to unlawful harassment in any form, and specifically not to unsolicited and/or unwelcome sexual overtures or conduct, either verbal or physical.
- 3) Conduct which constitutes sexual harassment is prohibited. Sexually harassing conduct includes, but is not limited to, the following:
  - Offensive sexual flirtations, advances, propositions;
  - Continued or repeated verbal abuse of a sexual or gender-based nature;
  - Explicit or degrading sexual or gender-based comments about another individual or his or her appearance;
  - The display or circulation of sexually explicit or suggestive writing, pictures or objects;
  - Any offensive or physical conduct which shows hostility or aversion toward an individual because of gender or sex;
  - Graffiti of a sexual nature;
  - Fondling oneself sexually or talking about one's sexual activity in front of others;
  - Spreading rumors about or categorizing others as to sexual activity.



## **4116.15** (Cont'd)

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### **PERSONNEL**

Sexual harassment is not limited to conduct that is sexual in nature - it also includes harassment that is based on gender. Gender-based harassment, which is also prohibited, is conduct that would not occur except for the gender of the person involved. An example would be referring to a woman by or as a female body part, or a demeaning sex-based term, or treating people differently because of their gender. The same prohibitions apply with regard to inflammatory or offensive comments or conduct which is based upon race color, age, religion, disability, ancestry, citizenship, or national origin. Working relationships between employees must be based on mutual respect.

Sexual harassment also includes the taking of, or refusal to take, any personnel or academic action on the basis of a person's submission to or refusal of sexual overtures. No person should so much as imply that an individual's "cooperation" or submission to unwelcome sexual activity will have any effect on the individual's employment, assignment, compensation, advancement, development, academic evaluation, participation in school programs or activities, or any other condition of employment or academic achievement.

- 4) Not all physical conduct is necessarily considered sexual in nature. However, peer-based sexual harassment is a form of prohibited conduct where the harassing conduct creates a hostile environment.

A sexually hostile environment can be created by anyone associated with the school/parish community.



## **4116.15** (Cont'd)

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### **PERSONNEL**

- 5) Any person who believes he/she is subject to unlawful harassment or intimidation must contact either the principal, assistant principal, or pastor at the elementary level; or the principal, assistant principal, or superintendent at the secondary level. A follow-up complaint must be filed in writing. In the event that an individual alleges harassment by a member of the school/parish community, the individual may file the complaint with the superintendent. All complaints will be promptly investigated, and the person initiating the complaint will be advised of the outcome of the investigation.
- 6) Where it is determined that harassment has occurred, the appropriate authority will take immediate disciplinary action. The response shall take into account the individuals and circumstances. Such action may include, depending on the circumstances, disciplinary measures up to and including termination of employment.
- 7) No retaliation against anyone who reports harassment will be tolerated. The Diocese prohibits such retaliation and will take appropriate responsive action if retaliation occurs.



## **4116.16**

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### **PERSONNEL**

#### **SCHOOL RESPONSIBILITIES - HARASSMENT**

- 1) Annually each school shall give teachers, staff and volunteers a copy of the Diocesan Personnel Harassment Policy - 4116.15.
- 2) Each school shall follow Diocesan Policy for timely investigation and response to complaints.
- 3) Each school shall train administrators, teachers, staff and volunteers to ensure that they understand which types of behavior constitute harassment, the prevention of harassment, and how they should respond in the event of experiencing such behavior. Records are to be kept of training dates and names of those in attendance.
- 4) Each school shall include the Diocesan Harassment Policy for Personnel in the school's faculty handbook.
- 5) A signed acknowledgement of receipt of the policy can be done on a separate form or in conjunction with the sign off form for the handbook.

**HARASSMENT  
POLICY (Policy 4116.16)  
VERIFICATION FORM**

I, \_\_\_\_\_,  
(please print your name)

- (check one)        an employee of
- a volunteer at
- a parent/guardian of a student
- a student (grades 6-12)

have received copies of the Diocesan Schools policy on harassment.

I understand that it is necessary that any complaint of harassment must be filed with an official of the school or the superintendent's office. I have had an opportunity to read the policy and am confident I understand the content and purpose.

\_\_\_\_\_  
name of school

\_\_\_\_\_  
your signature

Date: \_\_\_\_\_

Complaints of harassment or retaliation are filed with the principal, assistant principal, or pastor at the elementary level; and with the principal, assistant principal or superintendent at the secondary level.



**4116.17**

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

**PERSONNEL**

**FILING OF HARASSMENT INFORMATION**

- 1) The investigator (principal, assistant principal, pastor, or superintendent) must keep extensive notes of all aspects of the investigation as outlined in process packet provided by the diocesan legal counsel.
- 2) These notes must include what the investigator did, what the investigator concluded, and how the investigator followed up as a result of the findings and conclusion.
- 3) These notes must include any verbal statements made by persons questioned and any written statements.
- 4) All of the above details must be summarized to include a) how the investigation was conducted, b) what conclusion was reached and why, c) what action was taken, and d) how, when and to whom the conclusion was communicated and the warning against retaliation was given. (Diocese of Columbus Administrative Summary Form)
- 5) All of the above is kept only in the investigator's file.
- 6) If no action is taken, nothing is placed in the accused or the complainant's file. If an action is taken against the accused (i.e., warning, restrictions, leave, or release from contract in the case of personnel), the action taken is a) formalized by putting in writing, b) a copy is given to the person against whom the action is taken, and c) a copy is placed in the personnel file.



## HARASSMENT COMPLAINT FORM

Name \_\_\_\_\_

School \_\_\_\_\_

Who was responsible for the harassment? \_\_\_\_\_

Describe the harassment. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date, time and place the harassment occurred. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If there were other employees involved with the harassment, who and in what ways were they involved? \_\_\_\_\_

\_\_\_\_\_

Describe and /or provide documentation or other types of evidence that supports the complaint.

\_\_\_\_\_

\_\_\_\_\_

List any witnesses to the harassment. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What was your reaction to the harassment? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe any subsequent incidents. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date



**DIOCESE OF COLUMBUS  
ADMINISTRATIVE SUMMARY FORM**

Name of Complainant \_\_\_\_\_

Name of Accused \_\_\_\_\_

Dates of Investigation \_\_\_\_\_

How the Investigation was conducted? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What action was taken? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Were all parties warned against retaliation? (provide documentation) \_\_\_\_\_

Dates of follow-up conferences, how, and to whom conclusion was communicated \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Administrator \_\_\_\_\_ Date \_\_\_\_\_



## **ADVICE FOR HARASSMENT INVESTIGATIONS**

*Lawrence F. Fehely, Esq.*

### **1. Interviewing the Complainant.**

#### **A. Outline the Investigation.**

1. State that the School is committed to enforcing its Harassment policy.
2. You intend to conduct a prompt and thorough investigation.
3. There will be no retaliation for making an honest complaint.
4. Tell the complainant that you want a thorough and truthful account of what happened, identification of all relevant evidence, and identification of all individuals who may have useful knowledge.
5. Ask if there is any reason that he or she feels you cannot be fair and objective in the investigation.

#### **B. Do not promise confidentiality.**

1. Explain that you will need to share the information to investigate effectively.

#### **C. Obtain a complete list of each act or statement that the person considers to be harassing or offensive. For each act or statement:**

1. When did it occur?
2. Where did it occur?
3. Who was present?
4. Exactly what was done or said? (verbatim, from start to finish; not generalized descriptions or conclusions)
5. What conversations or incidents occurred before or after the act in question?
6. What response did the individual make during or after the event? What happened after that?
7. What was said or done the next time you met?
8. Who else was present?



9. Did you ever indicate that you were offended or that the conduct was unwelcome? Did you ask the other person to stop?
  - a) What was the response?
  - b) When did you do this?
10. Did you tell anyone else about the offensive behavior?
  - a) Who?
  - b) When?
  - c) What did they say?
11. Did you keep notes or other written material relating to the incident? Tape recordings?
  - a) Obtain a copy.
12. What did you do after the offensive conduct occurred?
  - a) Were you able to resume normal work?
  - b) Did you ever seek medical or psychological treatment?

**D. Other items to cover.**

1. Were you aware of the School's Harassment policy? (Why did you wait so long to complain or report this?)
2. Is there anything that would suggest to the "harasser" that the conduct was not welcome to you? (Have you given them cards or gifts? Have you dated? Did you join in the jokes, off-color language, etc.? Have you given invitations to the "harasser"?) (Note: This is a very sensitive area).
3. What do you think is the appropriate action to be taken?
  - a) Can you still work with the harasser?
  - b) What can the School do to assist?



**E. Conclusion of interview.**

1. Thank the employee for raising the complaint - tell them they did the right thing.
2. Reaffirm the School's commitment to the Harassment policy, and that no harassing conduct will be tolerated.
3. Ask them to keep your discussion confidential, at least until you get back to them.
4. Tell them you may need to talk with them again and that their cooperation is critical.
5. Tell them you intend to pursue the matter quickly and to reach a prompt resolution.
6. Reaffirm that, after the investigation, you will determine what to do, and that they will be kept advised.
7. Confirm that they have told you everything they can think of, as accurately as they can.
8. Explain that you want them to review and approve the report of the meeting.

**F. Documentation.**

1. Prepare a detailed written report of all the important facts or statements from the interview.
2. Ask the individual to review the report, correct any inaccuracies, make necessary additions, and sign and date the report.



## **2. Interviewing the Alleged Harasser.**

### **A. Explain the process.**

1. State what is being investigated.
2. Tell how the information will be used.
3. Explain that the information may not necessarily be kept confidential.
4. Explain the seriousness of the situation.
5. Explain the expectation for truthful and accurate information.
6. Warn them that attempting to influence the investigation by discussing it with others, or prompting others what to say, will be cause for discharge.
7. If the employee requests, allow them to have a witness present.
8. Tell them that if they refuse to participate, that simply means you will base your conclusions on the other information obtained in the investigation.

### **B. Review the conduct in question.**

1. Ask the person to respond to each statement or act that is in question.
2. Give full detail to allow a full opportunity to respond.

### **C. Explore the relationship.**

1. What is the extent and nature of the interactions with the complaining person?
2. Has there been a dating, social, etc. relationship?
3. What was the complaining person's role in the incidents?
4. Did the complaining person indicate that the conduct was offensive, uncomfortable, or unwelcome?

### **D. Explore denials.**

1. If the conduct is denied, is there any reason why the complaining person would make the claim?
2. Ask whether the accused has any alibis, corroborating witnesses or evidence, or mitigating circumstances.

**E. Other witnesses or evidence.**

1. Ask the accused to tell you any other person that they believe should be interviewed and what relevant information they are likely to have.
2. Request that the accused give you any relevant documents or other evidence.
3. Ask what steps they feel should be taken to insure a thorough and fair investigation.

**F. Conclusion.**

1. Reiterate the Harassment policy.
2. Warn that no reprisals or retaliation can occur.
3. Explain any interim steps or instructions for while the investigation is taking place.
4. Tell them they will be informed of the results of the investigation.



## 4116.2

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **LIBRARY/MEDIA SPECIALIST - RESPONSIBILITIES AND DUTIES**

The Media Specialist is responsible for the use, order and growth of the Library Media Center under the direction of the principal. As administrator of the program the media professional must have teaching competencies as well as library media knowledge and skills. Leadership abilities, interpersonal skills and flexibility are important as the responsibility is to each child and faculty member. The goals of the school media specialist are 1) to develop basic research skills in all media formats to assist students in becoming critical thinkers, 2) to provide and organize media to be used for curriculum supplement and enrichment, and 3) to introduce students to good literature. The goals are implemented within the framework of the goals of the Diocesan Office of Catholic Schools.

#### RESPONSIBILITIES AND DUTIES

##### Administrative

- 1) Establish policy and procedure for effective utilization of materials and resources with the cooperation of principal and faculty.
- 2) Establish technical routines covering acquisitions, cataloging, processing, circulation, maintenance of materials and equipment, and weeding.
- 3) Develop, justify, administer and evaluate a budget for the school library/media program as required by the school principal.
- 4) Maintain records and supply statistical data of budget, acquisition, circulation and withdrawal in accordance with the Diocese of Columbus Policy.



## **4116.2** (Cont'd)

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### **PERSONNEL**

- 5) Establish regular evaluations of the library/media center based on the Diocese of Columbus plan, and the standards for elementary and secondary schools provided by the State of Ohio.
- 6) Provide staff in-service for teachers in the utilization of materials and equipment.
- 7) Participate in diocesan professional development programs.
- 8) Supervise and schedule media staff and volunteers.

#### Instructional/Curricular

- 1) Exhibit an understanding of curriculum development and participate actively on curriculum committees.
- 2) Provide students and staff with services, media and equipment needed to support course of study.
- 3) Implement the library/media curriculum guide. (Refer to teacher's job description as applies.)
- 4) Serve as department chair at the high school level.
- 5) Assist the administrator in maintaining a professional library for teachers, inform them of new material and involve them in the selection process.
- 6) Plan with individual teachers, providing reading guidance and reference services to students.
- 7) Keep current with educational trends and technological advancements.



## **4117.0**

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### **PERSONNEL**

#### **EVALUATION OF STAFF**

All licensed personnel must be evaluated by the administrator or by a designated representative according to the guidelines for the supervision and evaluation of teachers.

The official procedures and instruments which have been approved by the Office of Catholic Schools shall be used throughout the diocese.

The administrator shall provide a copy of these guidelines and an explanation of the supervision and evaluation process to teachers new to the building within the first month of their active employment within the school.



## 4119.2

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **LAYOFF PROVISIONS**

Reasonable effort shall be made by the school and the Office of Catholic Schools to determine school closings and cutbacks in teacher personnel prior to the school's issuing of teachers' contracts. In the event, however, that a teacher's position is eliminated after contracts have been issued, due to the school's closing or cutbacks in teaching personnel brought about by economic and/or decreasing enrollment and other events outside the control of the school, any contract entered into shall become null and void, except as otherwise provided by written agreement between the school and the teachers of that school or between the COACE and the Diocese of Columbus.



## 4122.0

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **PART-TIME TEACHERS**

A part-time teacher is defined as one who is under contract to teach on a continuous basis for less than one hundred and twenty (120) teaching days and/or less than five (5) hours per day in one school year. The hiring shall be done by the principal of the school. The part-time teachers shall be duly certified to teach in the areas for which he or she is hired. Salary for part-time teachers shall be pro-rated based on the local scale. Insurance coverage, as provided by the specific terms of the Diocesan insurance programs, is available for staff members meeting eligibility and participation requirements of the specific programs.

Part-time teachers whose assignments are an entire school day should be given consideration regarding conference time, sick and personal business leave based on 1/5 per full day assignment.

In the event that a part-time teacher is offered part-time contracts at two or more schools, and the combined hours under the contracts would meet the requirements for full-time employment, it shall be a condition of eligibility for salary and benefits that the teacher must notify the principal of each of the affected schools of the proposed eligibility for salary and benefits, so that each school may determine whether to continue or terminate the part-time contract.



## 4122.1

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **SUBSTITUTE TEACHERS**

A substitute teacher is one who is hired to fill an existing position for a period of time until the contracted teacher returns.

Any person who desires to work as a substitute teacher in a school of the Diocese must provide the Associate Director of School Personnel with copies of the following information prior to employment by a school:

- 1) a completed substitute teaching application
- 2) transcript showing degree, or
- 3) a valid Ohio teaching license/certificate, or for long term substitutes a license/certificate at the appropriate grade level or in the appropriate subject
- 4) BCI and FBI criminal background checks
- 5) attendance at Protecting God's Children sexual abuse awareness and prevention program

Substitute teachers who are interested in applying for full time openings in a school of the Diocese must be interviewed by the Director of School Personnel or designee and must possess a current and valid Ohio license.

At the beginning of employment, the substitute shall be informed of salary arrangements and the probable duration of employment.



## 4123.0

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **STUDENT TEACHERS**

The Superintendent of Schools is authorized to enter into contractual agreements with any accredited college or university for the purpose of promoting exchange of services programs.

These programs shall encompass, but not be limited to, student teachers, research projects, freshman early experience, and observation.

Neither student teachers nor field experience students may be used as substitute teachers.

Colleges/universities are responsible for background checks on student teachers.



**4131.0**

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

**PERSONNEL**

**PROFESSIONAL GROWTH**

- 1) Since teacher education is a continuous process, in-service training is as essential as pre-service preparation. All teachers are expected to avail themselves of opportunities for professional reading, school visitation, institutes, conventions, workshops, and other invaluable aids for professional improvements, including formal content or educational courses.
- 2) Principals shall make provision for a variety of professional literature so that all teachers can follow current trends and developments in education. Subscriptions shall represent a good balance between periodicals of a general nature and those dealing with a specialized content.
- 3) Faculty meetings shall be held regularly in every school. It is expected that all teachers take an active part in these meetings.



## 4131.1

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **STAFF DEVELOPMENT FOR LICENSED STAFF**

Each elementary and secondary school shall allow two days of its 910 hours for grades K-6 and 1001 hours for grades 7-12 (minimum) calendar to be used by licensed staff for the purposes of building-wide staff development. The Office of Catholic Schools and/or the schools are free to schedule days beyond the 910 hours for grades K-6 and 1001 hours for grades 7-12 calendar (up to the limits specified by contract) for the purposes of staff development. Each school shall develop a long-range building-wide staff development plan which

- 1) is based on cooperative planning, implementation and evaluation;
- 2) provides for professional development in areas identified by the school's continuous improvement plan; and
- 3) directs the orientation for new staff members.



## 4131.33

ELEMENTARY

POLICY

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### PERSONNEL

#### **PROFESSIONAL LIBRARY**

Each school must have a library of professional books and periodicals for the faculty. These materials should be cataloged.



**4141.0**

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

**PERSONNEL**

**SALARY GUIDES FOR MEMBERS OF RELIGIOUS COMMUNITIES**

The salaries for teachers who are members of religious communities ministering in the schools of the diocese shall be comparable to the salaries of teachers who are not members of religious communities and who have similar positions, experience and teaching credentials.

**Office of Catholic Schools  
Catholic Diocese of Columbus**

Adopted 3/75  
Reviewed 2/81, 5/82, 8/00, 8/05, 8/10, 5/15  
Revised 5/89, 8/95



## 4141.1

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **SALARY SCALE FOR TEACHERS NOT COVERED BY THE COACE AGREEMENT**

Each elementary and secondary school not covered by the COACE Agreement shall adopt and publish a salary scale for teachers. The scale shall include regular increments in salary for years of teaching experience and for academic degrees earned.

The scale shall provide wages which are realistic to the cost of living within the local community; this scale shall be reviewed by the school on an annual basis.

It is recommended that the school's beginning salary (BA/BS plus zero years of teaching experience) be no less than 80% of the State of Ohio's minimum salary for teachers.

A copy of each elementary and secondary school salary schedule shall be on file in the superintendent's office.

Salary for part-time teachers shall be pro-rated and based on the local scale.



## 4141.2

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **SALARIES FOR NON-LICENSED COORDINATORS OF LIBRARY/MEDIA CENTERS**

A non-licensed staff member who holds the position of coordinator of the school's library/media center should be offered a salary which is no less than 75% of what the employee would be paid at the appropriate license/certification level. The employee should hold an aide license/certificate issued by the State of Ohio. The program will be supervised by the principal. Non-licensed personnel may not instruct students.



## 4145.0

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **BENEFITS**

- 1) All employees scheduled to work at least 30 hours per week, during at least 10 months a year, are eligible for group health, dental, vision, term life, short and long term disability, Flexible Spending Account (FSA), Dependent Care Account (DCA), and long term care benefits available through the diocesan plan. The employee must be a paid employee receiving a form W-2 annually. Rates and requirements are governed by the Diocesan Insurance Office.
- 2) Coverage is from September 1 of the one school year through August 31 of the following school year.

All personnel in our schools (religious and lay) who are in the diocesan health plan must be covered for the full twelve month contract period regardless of whether their salary is on a 10 or 12 month payment basis.

This means that employees are covered during the months of July and August, even if they are not returning to the school in September or are not usually paid during those months.

If a teacher transfers from one diocesan school to another and has signed a contract with the new school, the last school employing said teacher shall pay the premium for July and August; the new school shall take over the payments on September 1.

A teacher on an unpaid, non-FMLA leave of absence from a school shall retain diocesan insurance coverage provided that the teacher pays the entire cost of the premium (both the employer's share and the employee's share) for the duration of the leave. (See also Policy 4152.3 - Leave of Absence)



## 4146.0

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **FACULTY HANDBOOK**

A faculty handbook is a requirement for all schools to provide teachers with information concerning teaching and non-teaching responsibilities and expectations. The handbook must be distributed no later than August 31<sup>st</sup> annually, and it must be reviewed and revised on a regular basis. A faculty handbook should address, but is not limited to, the following items. The handbooks can cite or include the appropriate diocesan policy.

- fingerprinting of staff and volunteers and attendance at a Protecting God's Children, sexual abuse awareness program
- harassment
- mentoring
- mission and belief statement
- necessity of proper teacher licensure/certification and religious education certification
- non-discrimination statement
- pregnancy leave information
- professionalism including decorum and confidentiality issues
- reporting of child abuse
- sample forms
- sick time
- supervision and evaluation procedures
- teachers' duties including instructional, non-instructional, and administrative

Faculty are required to sign an acknowledgement form no later than September 15<sup>th</sup> annually.



## 4147.01

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **WORKING CONDITIONS**

- 1) Facilities and equipment shall be made available for the use of teachers in carrying out their professional tasks.
- 2) Safe and healthful conditions shall be provided: these should include restrooms, a comfortable faculty lounge, and an easily accessible telephone.



## 4148.0

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **GRIEVANCE PROCEDURE**

This grievance procedure is for fulltime teachers in schools who are not covered by the COACE agreement or a local agreement. It also covers all part-time teachers.

A grievance is a claim that there has been a violation or misapplication of the provisions of a teacher's contract, or any regulation, order or policy of the Diocesan School Office, or any school of the Diocese which applies to teachers. The process for handling the grievance will depend on the type of grievance at issue. For purposes of the process, there are two types of grievances:

Church Teaching Grievance – A Church Teaching Grievance is a claim that arises out of discipline or termination related to an alleged violation of Catholic doctrine/morals or Catholic Church teachings. The Principal will specifically notify the teacher if the disciplinary action or termination arises out of an alleged violation of Catholic doctrine/morals or Catholic Church teachings, and, if it does, will cite the specific Catholic doctrine/morals or Catholic Church teaching that was allegedly violated. The Designation by the Principal that the disciplinary action or termination arose out of a violation of Catholic doctrine/morals or Catholic Church teaching is determinative of any subsequently filed grievance being a Church Teaching Grievance.

Standard Grievance – A Standard Grievance is any grievance that is not a Church Teaching Grievance.

Reappointment of a teacher is at the prerogative of the Pastor(s)/Principal at an elementary school and Superintendent/Principal at a high school. A grievance regarding reappointment will be that the timeline for reappointment as outlined in the policy/regulation 4112.11 was not followed and the grievant was prejudiced by the failure to adhere to the timeline. Other than the issue of salary level, the reasons or merits of a decision not to reappoint a teacher, or not to offer a contract, are final and are not subject to this grievance procedure.

Termination of a teacher during the term of an existing contract is subject to the grievance procedure.



## 4148.0 (Cont'd)

ELEMENTARY

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BOTH

### PERSONNEL

#### **GRIEVANCE PROCEDURE**

##### Binding Process

The parties to the grievance each agree that any controversy or claim arising out of or relating to a grievance shall be conclusively resolved by utilization of the grievance procedure set forth in Policy 4148.0. The parties expressly agree that the grievance procedure displaces and extinguishes all common law and/or statutory rights of either party to pursue claims in any other forum.

##### Timely Pursuit of Grievance

The failure of a teacher to act on a grievance within the prescribed time limits shall bar any further appeal of said grievance. The school's failure to give a decision within the time limits shall permit the grievant to proceed to the next step. However, the time limits at any level may be extended by mutual agreement.

##### Initiation of Grievance

From the date of the communication of the disciplinary action/termination of a teacher, the teacher shall have two (2) calendar weeks in which to formally notify in writing the Principal of the teacher's grievance, the specific grounds or basis for which the grievance is being filed, and the remedy requested. A copy is also to be sent to the Superintendent. After formal notification of said grievance, the calendar of events, as outlined below, will commence. The teacher's failure to notify the Principal in writing within two (2) calendar weeks will preclude any further action on the alleged grievance.

##### Standard Grievance

Level One: Upon receipt of a Standard Grievance, the Principal shall arrange a conference with the grievant, at a mutually agreeable time, but no later than two calendar weeks from the time the grievance is received by the Principal. During the conference, the grievant shall be provided an opportunity to present his/her grievance. The grievant may bring witnesses to the conference to provide statements on the grievant's behalf. The Principal may make inquiries of either the grievant or the



## 4148.0 (Cont'd)

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### PERSONNEL

#### **GRIEVANCE PROCEDURE**

witnesses during the conference. Neither party shall be represented by counsel at the conference. The Principal shall render a written decision within three (3) calendar weeks from the date of the conference.

Level Two: If a satisfactory disposition of the grievance is not reached at Level One, the grievant must, within one (1) calendar week of the written decision, in Level One, provide a written statement of his/her grievance to the Superintendent of Schools, or the Superintendent's designated representative, who shall have one (1) calendar week within which to render a written decision on the grievance.

Level Three: If the decision of the Superintendent of Schools or designated representative is not satisfactory, either party (the Principal or the grievant) within one calendar week of receipt of such decision may notify the Superintendent of Schools in writing of his/her desire to proceed to binding arbitration. Upon receipt of such notice, the Superintendent of Schools will make arrangements to implement the arbitration procedure. The parties will request a list of seven labor arbitrators from the American Arbitration Association. From this list the arbitrator shall be selected by alternate striking of names by the Principal and teacher. The first turn to strike shall be decided by a coin flip. The procedures for arbitration shall be those set forth in the Labor Arbitration Rules of the American Arbitration Association. Parties may have counsel at the arbitration hearing. Either party, at their expense, may have a court reporter transcribe the testimony at the hearing. No tape recording shall be permitted.

The arbitrator will conduct a hearing and will issue a written decision, which will be final and binding on all parties to the proceedings.

Costs for arbitration will be divided equally by the parties involved in the grievance.



## **4148.0 (Cont'd)**

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### **PERSONNEL**

#### **GRIEVANCE PROCEDURE**

##### **Church Teaching Grievance**

Level One: Upon receipt of a Church Teaching Grievance, the Principal shall arrange a conference with the grievant, at a mutually agreeable time, but no later than two (2) calendar weeks from the time the grievance is received by the Principal. During the conference, the grievant shall be provided an opportunity to present his/her grievance. The grievant may bring witnesses to the conference to provide statements on grievant's behalf. The Principal may make inquiries of either the grievant or the witnesses during the conference. Neither party shall be represented by counsel at the conference. The Principal shall render a written decision within three (3) calendar weeks from the date of the conference.

Level Two: If a satisfactory disposition of the grievance is not reached at Level One, the grievant must, within one (1) calendar week of the written decision, in Level One, provide a written statement of his/her grievance to the Superintendent of Schools, or his/her designated representative, who shall have one (1) calendar week within which to render a written decision on the grievance.

Level Three: If the decision of the Superintendent of Schools is not satisfactory, either party (the Principal or the grievant), within one (1) calendar week of receipt of such decision may notify the Superintendent of Schools in writing of his/her desire to proceed to advisory arbitration for ultimate submittal to the Bishop of the Diocese of Columbus. Upon receipt of such notice, the Superintendent of Schools will make arrangements to implement the advisory arbitration procedure. The parties will request a list of seven labor arbitrators from the American Arbitration Association. From this list the arbitrator shall be selected by alternate striking of names by the Principal and teacher. The first turn to strike shall be decided by a coin flip. The procedures for arbitration shall be those set forth in the Labor Arbitration Rules of the American Arbitration Association (but with an advisory, rather than binding, decision from the arbitrator). Parties may have counsel at the arbitration hearing. Either party, at their expense, may have a court reporter transcribe the testimony at the hearing. No tape recording shall be permitted.



## 4148.0 (Cont'd)

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### PERSONNEL

#### **GRIEVANCE PROCEDURE**

The arbitrator will conduct a hearing and will issue a written advisory decision addressing the facts as established by the record, and whether those facts support a conclusion that the grievant's acts violated the specific Catholic doctrine/morals or Catholic Church teaching cited by the Principal. The disciplinary action or termination shall be considered proper if the evidence demonstrates a violation of the specific Catholic doctrine/morals or Catholic Church teaching cited by the Principal (regardless of uniform enforcement or arguably disparate treatment).

The arbitrator's findings shall be submitted to the Bishop of the Diocese of Columbus who then will decide, in his sole discretion, whether to accept or reject the arbitrator's findings, and whether the disciplinary action or termination imposed by the Principal was appropriate. The Bishop's decision shall be final.

Cost for arbitration will be divided equally by the parties involved in the grievance.



## 4151.1

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### PERSONNEL

#### **MINIMUM NUMBER OF SICK DAYS**

Each elementary and secondary school not covered by the COACE agreement shall adopt and publish a statement regarding the minimum number of paid sick days per year to which full-time teachers shall be entitled, and the maximum number of paid sick days which a teacher may accumulate.

In no case shall the minimum number of paid sick days for full-time teachers be fewer than 1 sick day per month computed on a ten (10) month basis (i.e. ten days per year). The number of paid sick days which a teacher may accumulate shall be set at no fewer than 90.



## 4152.21

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### PERSONNEL

#### **LEAVE OF ABSENCE FROM TEACHING TO SERVE AS A PRINCIPAL**

A teacher who leaves a teaching position in a school in the Diocese of Columbus to become a principal of an elementary school in the Columbus diocese shall be granted an unpaid leave of absence from the first school for the first year that he/she is principal. Neither the taking of this leave nor the teacher's position on the salary scale shall constitute grounds for non-renewal of contract should the teacher choose to return to the first school at the end of the leave. If the teacher does return to teaching, he/she shall receive credit on the salary scale for the year of administrative service. In Franklin County, a teacher who holds a continuing contract shall retain the contract if he/she returns at the end of the year's leave.



## 4152.3

ELEMENTARY

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### PERSONNEL

#### **LEAVE OF ABSENCE - PAID AND UNPAID**

##### I. Paid Leave

Accumulated sick leave with pay shall be available to a teacher with the approval of the principal. This includes, but is not limited to, absence of the teacher due to illness, non-work related injury, or emergency medical or dental treatment of said teacher. This shall also include conditions associated with pregnancy or childbirth, which make it medically necessary to use sick leave. The Diocese provides a short term and long term disability policy that enables employees to continue receiving a portion of their salary once eligibility requirements are met. An employee is required to file for a short term disability claim if off work more than seven (7) calendar days. Contact the Diocesan Insurance Office for forms and/or questions.

##### II. Unpaid Leave

Without prejudice to a teacher's ability to use sick leave due to pregnancy or childbirth, any teacher who becomes pregnant shall, upon written request to the principal, be granted leave without pay to absent herself from work for child-rearing purposes. Child-rearing leave may continue until the teacher is medically able to return to work. The teacher also has the option of continuing the child-rearing leave until the close of any semester up to and including the semester which concludes the following school year. The child-rearing leave may be renewed at the discretion of the principal for an additional semester or school year upon the written request of the teacher.

##### III. FMLA

Teachers/administrators consult policy 4152.4 for Family Medical Leave Act information. Also see policy 4145.0.



## 4152.4

ELEMENTARY

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#### **FAMILY AND MEDICAL LEAVE POLICY**

The federal Family and Medical Leave Act of 1993 (FMLA) entitles eligible employees to take up to 12 weeks (26 weeks to care for a covered servicemember as set forth below) of unpaid, job-protected, leave for certain family and medical reasons. The following pages set forth our policies and procedures with regard to family and medical leave under FMLA.

#### **Eligibility**

In order to qualify for FMLA leave, an employee must have been employed with the Diocese for at least twelve (12) months of employment need not be consecutive and any employment with the Diocese within the last seven (7) years will be counted toward the twelve (12) month requirement), and have worked at least 1,250 hours during the 12-month period preceding the start of the leave, and there must be at least 50 employees of the Diocese regularly working at locations within 75 miles of the employee's work location.<sup>1</sup>

<sup>1</sup> The information in this Policy highlights the Diocese's FMLA policy and the rights and obligations of employees and employers under the Act, which are covered in over forty pages of federal regulations. This information is intended to be a short statement of the Diocese's policy and these lengthy regulations and in any particular case, the precise rights of and obligations of employees and the Diocese will be governed by the terms of this Policy and the law itself. Nothing in this statement is intended to, or should be interpreted as, granting employees' rights beyond those that the law itself provided.

#### **Reasons for Leave**

An eligible employee may take up to 12 weeks of unpaid FMLA leave for the following reasons:

- 1) to care for the employee's child after birth, or placement for adoption or foster care;
- 2) to care for the employee's spouse, son, daughter, or parent who has a serious health condition;
- 3) for the employee's own serious health condition that makes the employee unable to perform the functions of the employee's job.



## 4152.4 (cont'd.)

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#### Reasons for Leave (cont'd)

- 4) to care for an employee's spouse, son, daughter, parent, or next of kin who is a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness;
- 5) for certain qualifying exigencies arising out of an employee's spouse, son, daughter, parent, who is a member of the National Guard, the Reserves (Army, Navy, Marines, Air Force, or Coast Guard), or a retired member of Regular Armed forces or Reserve, who receives notification of an impending call or order to active duty status, in support of a contingency operation.

For the definitions of a "serious health condition," see the FMLA Fact Sheet appended to this Policy Statement.

For the definitions of "covered servicemember," "serious injury or illness," or "qualifying exigency" see the FMLA Fact Sheet relating to Military Leave appended to this Policy Statement.

#### Amount of Leave/Calculation

##### **A. Pregnancy, Serious Health Condition or Qualifying Exigency**

An eligible employee can take up to 12 weeks of unpaid FMLA leave during a 12 month period. The Diocese will use a calendar year system for counting how much FMLA leave an eligible employee is entitled to. That means that eligible employees are permitted 12 weeks of unpaid FMLA leave during a calendar year.



## 4152.4 (cont'd.)

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#### **B. Leave Relating to a Covered Servicemember's Injury or Illness**

An employee taking leave to care for the employee's spouse, son, daughter, parent, or next of kin who is a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness can take up to 26 weeks of unpaid leave in a single 12 month period. The single twelve month period will begin on the first day leave is taken and will expire 12 months thereafter. Each time the employee requests leave we will look back to the first date leave was requested and will determine how much, if any, leave is available.

The maximum amount of leave an employee can take in one year is 26 weeks, regardless of the reason or number of reasons. For example, if an employee has a serious health condition which requires the employee take 12 weeks of FMLA leave, and later has to care for a servicemember's injury or illness, the employee would be entitled to 14 weeks (26-12) of leave to care for the injury or illness.

#### **C. Available Paid Leave**

Leave taken under FMLA is generally unpaid leave. If the employee has any accrued paid leave available (such as paid vacation, sick leave, etc.) that would apply to the absence, the employee must use that leave, and the amount of paid leave used up will be counted against the employee's FMLA entitlement.

Leave may be taken on a continuous basis (that is, a certain number of days or weeks in a row). Additionally, when medically necessary, for leaves involving serious health conditions or care for a servicemember's injury or illness, leaves may also be taken on an intermittent basis (that is, leave taken in separate blocks of time due to a single qualifying reason), or on a reduced schedule basis (that is, a leave schedule that reduces the usual number of hours per workweek or hours per day). An employee requesting intermittent leave or leave on a reduced schedule must fulfill all of the obligations that are described in this statement (for example, the advance notice requirements, request for leave of absence forms, medical certification, etc.).



## 4152.4 (cont'd.)

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### **PERSONNEL**

#### **C. Available Paid Leave (cont'd)**

The employee must also advise the Diocese of the reasons why the intermittent/reduced schedule is necessary and of the schedule for treatment, if applicable. The employee and the Diocese must then attempt to work out a schedule which meets the employee's needs without unduly disrupting the Diocese's operations, subject to the approval of the health care provider.

Likewise, whenever the employee requests leave for planned medical treatment (whether on an intermittent reduced schedule or continuous basis), the employee must consult with the Diocese and make a reasonable effort to schedule the leave so as not to disrupt unduly the Diocese's operations, subject to the approval of the health care provider. Employees are ordinarily expected to consult with the diocese prior to scheduling treatment in order to work out a treatment schedule which best meets the needs of both the Diocese and the employee.

#### **D. Required Notice**

If the need for the leave is foreseeable, such as the expected birth or placement for adoption of a child, or for planned medical treatment, the employee must give the Diocese at least thirty (30) days notice. If the need for leave is unforeseeable, the employee must give notice as soon as practicable (which generally means at least verbal notice to the Diocese the same day or within one business day of learning of the need to take FMLA leave). Notice shall be given according to the Diocese's normal call-in procedure, failure to follow the normal call-in procedure may result in the denial of leave which may subject the employee to disciplinary action, including discharge. When the employee requests FMLA leave, or in the case of unforeseeable leave, as soon as possible thereafter, they will be given a form entitled Rights and Responsibilities.



## 4152.4 (cont'd.)

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#### **D. Required Notice (cont'd)**

The notice must contain sufficient information for the Diocese to understand that the employee needs leave for FMLA-qualifying reasons: the employee must explain the reasons for medical leave so as to allow the Diocese to determine whether the reason is an FMLA-qualifying reason. In the case of leave related to a servicemember, whenever possible, the employee should inform the Diocese of the name and title of the servicemember and the reason the leave is necessary. Notice should also include the anticipated timing and duration of the requested leave. If the employee fails to give the proper notice, we may treat the leave as leave which is not protected by FMLA, which may subject the employee to disciplinary action, including discharge.

After the initial request for FMLA leave, in each subsequent request the employee must specifically reference either the qualifying need for leave or the need for FMLA leave. Failure to provide this information may lead to the Diocese treating the leave as leave which is not protected by FMLA, which may subject the employee to disciplinary action, including discharge.

#### **Certification**

##### **Serious Health Conditions**

If the employee requests FMLA leave because of his or her serious health condition, or to care for a family member with a serious health condition, the employee will be required to provide medical certification of the need for the leave. The medical certification form, which the Diocese will provide, must be completed by a health care provider and returned within 15 days. If the Diocese has reason to doubt the validity of the medical certification, it may require the employee to get a second opinion. The Diocese may also require medical recertification during the period of an employee's leave.

##### **Servicemember Leave**

If the employee requests FMLA leave to care for a servicemember or for qualified exigencies the employee will be required to provide certification validating the need for leave. The employee will be provided with a certification form which must be completed. The following types of information may be required: copies of the servicemember's active duty orders and appropriate facts, related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party; certification completed by an authorized health care provider or a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered servicemember's family. The medical certification form must be completed and returned within 15 days.



## 4152.4 (cont'd.)

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#### **General Procedure**

Regardless of the type of FMLA leave, the following procedure applies to FMLA requests: At the time of the request or shortly thereafter the Diocese will provide the employee with the appropriate certification form, depending on the type of leave requested. As stated above, the form must be returned within 15 days. In the event the employee fails to provide medical certification within 15 days, the Diocese may treat the leave as leave which is not protected by the FMLA.

When the leave is foreseeable and at least 30 days notice has been provided, the employee should submit the medical certification before leave begins. When this is not possible, or when the leave is not foreseeable or the employee has not provided 30 days notice, the employee must submit the certification within fifteen days after the employee is notified of the requirement to submit the certification (unless it is not practicable under the particular circumstances to do so despite the employee's diligent good faith efforts, in which case the notice must be provided as soon as is reasonably possible under the particular facts and circumstances).

In the case of foreseeable leave, failure to submit a required medical certification within the fifteen (15) day period may result in a delay or in a denial of leave until the certification is provided, and may cause the employee's absence to be considered as unexcused, which may subject the employee to disciplinary action, up to and including discharge. In the case of leave that is not foreseeable, failure to provide a required medical certification within fifteen (15) days after the requirement to submit the certification is sent to the employee, or within a reasonable time under the pertinent circumstances, may result in a delay or in denial of the employee's continuation of FMLA leave and may cause the absence to be considered as unexcused which may subject the employee to disciplinary action up to and including discharge.

Once the certification has been provided the Diocese will determine whether you are entitled to FMLA leave. The Diocese will provide you with a designation form within 5 days of you providing the information necessary for certification. This form will notify you if the leave request is covered by FMLA, if more information is necessary before a decision can be made, or, if the leave is not covered, the reason why it is not covered. If more information is necessary, the employee must provide the additional information necessary within 15 days of the return of the designation form. Failure to provide the necessary information may result in the Diocese treating the leave as not protected by the FMLA.



## **4152.4** (cont'd.)

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### **PERSONNEL**

#### **Fitness For Duty Report**

At the end of FMLA leave which is taken because of an employee's own serious health condition, the Diocese may require the employee to provide certification from the health care provider that the employee is able to resume work. The designation form provided by the Diocese will inform the employee if a fitness for duty report is going to be required. Along with the designation form the employee will be given the essential functions of the employee's job and the return to work certification must address those essential functions. The Diocese may deny the employee reinstatement to work until the employee submits the certification.

Additionally, employees on intermittent leave who pose a reasonable safety concern may be required to submit a fitness for duty form not more than once every 30 days. The designation form provided by the Diocese will indicate whether a fitness for duty certification is required and how often one will be required. The Diocese may deny the employee reinstatement to work until the employee submits the certification.

#### **Reinstatement**

Upon return from a leave required by the Act, unless a job elimination has occurred which would have terminated the employee's job or placed him/her in a different job, an employee taking family or medical leave under the Act (not exceeding 12 weeks) will generally either be restored to his/her prior position or to an equivalent one in terms of pay, benefits, responsibilities and authority. In certain circumstances, job restoration may be denied to certain highly compensated "key" employees if necessary to avoid substantial and grievous economic injury.

#### **Maintenance/Accrual of Benefits During Leave**

An employee taking FMLA leave is entitled to maintain any employment benefits, other than the paid and unpaid leave required to be used, that the employee had accrued prior to the date upon which leave began. During any period of unpaid FMLA leave, employees will not accrue personal leave, sick leave, or vacation leave. Employees who return to work after an FMLA leave will not lose any seniority or service credit eligibility. Unpaid FMLA leave will be treated as continuous service (i.e., no break in service) for all purposes, including the employee's vesting and eligibility to participate in retirement plans.



## 4152.4 (cont'd.)

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#### Health Insurance During FMLA Leave

During FMLA leave, an employee will be maintained on the Diocese's health insurance plan (if any exists) under the same conditions that applied before leave began. To continue health insurance coverage, the employee must continue to make any contributions that he or she made before taking leave. Health insurance coverage may be cancelled if the employee's premium payment is more than 30 days late.

If the employee fails to return to work after his or her FMLA entitlement runs out, the Diocese may recover from the employee the Diocese's share (if any) of health insurance premiums paid during the leave. In that situation, the premiums paid by the Diocese during the leave are a debt owed by the non-returning employee to the Diocese, and the Diocese may recover that debt through deduction from any sum due to the employee, or through legal action.

#### School Employees - Leaves Near the Conclusion of an Academic Term

For employees engaged principally in an instruction capacity who request leaves near the end of an academic term:

- a) For a leave beginning more than 5 weeks prior to the end of an academic term, the school may require that the employee continue their leave until the end of the term if (1) the leave is at least 3 weeks long, and (2) return to work would occur during the three-week period prior to the end of the term.
- b) For a leave beginning less than 5 weeks prior to the end of a term, the school can require the employee to continue the leave until the end of the term if (1) the leave is greater than two weeks in duration, and (2) return to work would occur during the two-week period before the end of the term.
- c) For a leave beginning less than 3 weeks prior to the end of the term, and if the duration of the leave is greater than five working days, the school can require the employee to continue the leave until the end of the term.

Employees with questions about the FMLA are encouraged to contact the Personnel office. In addition, information sheets from the Department of Labor are attached to this Policy Statement for reference.



## **Fact Sheet #28: The Family and Medical Leave Act of 1993**

The U.S. Department of Labor's Employment Standards Administration, Wage and Hour Division, administers and enforces the Family and Medical Leave Act (FMLA) for all private, state and local government employees and some federal employees. Most federal and certain congressional employees are also covered by the law and are subject to the jurisdiction of the U.S. Office of Personnel Management or the Congress. *See Fact Sheet 28A*

The FMLA became effective on August 5, 1993 for most employers and entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. Amendments to the FMLA by the National Defense Authorization Act for FY 2008 (NDAA), Public Law 110-181, expanded the FMLA to allow eligible employees to take up to 12 weeks of job-protected leave in the applicable 12-month period for any “qualifying exigency” arising out of the fact that a covered military member is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. The NDAA also amended the FMLA to allow eligible employees to take up to 26 weeks of job-protected leave in a “single 12-month period” to care for a covered servicemember with a serious injury or illness.

### **EMPLOYER COVERAGE**

FMLA applies to all public agencies, including state, local and federal employers, local education agencies (schools), **and** private-sector employers who employed 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including joint employers and successors of covered employers.

### **EMPLOYEE ELIGIBILITY**

To be eligible for FMLA benefits, an employee **must**:

- work for a covered employer;
- have worked for the employer for a total of 12 months;
- have worked at least 1,250 hours over the previous 12 months; and
- work at a location in the United States or in any territory or possession of the United States where at least 50 employees are employed by the employer within 75 miles.

While the 12 months of employment need not be consecutive, employment periods prior to a break in service of **seven** years or more need not be counted unless the break is occasioned by the employee’s fulfillment of his or her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA)), or a written agreement, including a collective bargaining agreement, exists concerning the employer’s intention to rehire the employee after the break in service. *See, [special rules for returning reservists under USERRA](#).*



## **LEAVE ENTITLEMENT**

A covered employer must grant an eligible employee up to a total of **12 workweeks** of **unpaid** leave during any 12-month period for one or more of the following reasons:

- for the birth and care of a newborn child of the employee;
- for placement with the employee of a son or daughter for adoption or foster care;
- to care for a spouse, son, daughter, or parent with a serious health condition;
- to take medical leave when the employee is unable to work because of a serious health condition; **or**
- for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

A covered employer also must grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness up to a total of **26 workweeks** of **unpaid** leave during a "single 12-month period" to care for the servicemember. *See* Fact Sheet 28A for specific information regarding military family leave.

Spouses employed by the same employer are limited in the **amount of** family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered servicemember with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

Under some circumstances, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee's usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation. If FMLA leave is for birth and care, or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval.

Under certain conditions, employees **or** employers may choose to "substitute" (run concurrently) accrued **paid** leave (such as sick or vacation leave) to cover some or all of the FMLA leave. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the employer's normal leave policy.



“**Serious health condition**” means an illness, injury, impairment, or physical or mental condition that involves either:

- Inpatient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical-care facility,
- including any period of incapacity (*i.e.*, inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; **or**
- Continuing treatment by a health care provider, which includes:
  - 1) A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that **also** includes:
    - treatment two or more times by or under the supervision of a health care provider (*i.e.*, in-person visits, the first within 7 days and both within 30 days of the first day of incapacity); **or**
    - one treatment by a health care provider (*i.e.*, an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (*e.g.*, prescription medication, physical therapy); **or**
  - 2) Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; **or**
  - 3) Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; **or**
  - 4) A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; **or**
  - 5) Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

## **MAINTENANCE OF HEALTH BENEFITS**

A covered employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. In some instances, the employer may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.



## **JOB RESTORATION**

Upon return from FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to **before** using FMLA leave, nor be counted against the employee under a "no fault" attendance policy. If a bonus or other payment, however, is based on the achievement of a specified goal such as hours worked, products sold, or perfect attendance, and the employee has not met the goal due to FMLA leave, payment may be denied unless it is paid to an employee on equivalent leave status for a reason that does not qualify as FMLA leave. An employee has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

## **NOTICE AND CERTIFICATION**

### Employee Notice

Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the employer's usual and customary notice and procedural requirements for requesting leave.

Employees must provide sufficient information for an employer reasonably to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee's qualifying family member is under the continuing care of a health care provider.

When an employee seeks leave for a FMLA-qualifying reason for the **first** time, the employee need not expressly assert FMLA rights or even mention the FMLA. When an employee seeks leave, however, due to a FMLA-qualifying reason for which the employer has previously provided the employee FMLA-protected leave, the employee **must** specifically reference either the qualifying reason for leave or the need for FMLA leave.

### Employer Notice

Covered employers must post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. An employer that willfully violates this posting requirement may be subject to a fine of up to \$110 for each separate offense. Additionally, employers must either include this general notice in employee handbooks or other written guidance to employees concerning benefits, or must distribute a copy of the notice to each new employee upon hiring.

When an employee requests FMLA leave or the employer acquires knowledge that leave may be for a FMLA purpose, the employer must notify the employee of his or her eligibility to take leave, and inform the employee of his/her rights and responsibilities under FMLA. When the employer has enough information to determine that leave is being taken for a FMLA-qualifying reason, the employer must notify the employee that the leave is designated and will be counted as FMLA leave.



### Certification

Employers may require that an employee's request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a health care provider. An employer may require second or third medical opinions (at the employer's expense) and periodic recertification of a serious health condition. An employer may use a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious health condition. An employer may have a uniformly-applied policy requiring employees returning from leave for their own serious health condition to submit a certification that they are able to resume work. If reasonable safety concerns exist, an employer may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave.

### **UNLAWFUL ACTS**

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to FMLA.

### **ENFORCEMENT**

The Wage and Hour Division investigates complaints. If violations cannot be satisfactorily resolved, the U.S. Department of Labor may bring action in court to compel compliance. Individuals may also be able to bring a private civil action against an employer for violations.

### **OTHER PROVISIONS**

Special rules apply to employees of local education agencies. Generally, these rules apply to intermittent leave or when leave is required near the end of a school term. Salaried executive, administrative, and professional employees of covered employers who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime under Regulations, 29 CFR Part 541, do not lose their FLSA-exempt status by using any unpaid FMLA leave. This special exception to the "salary basis" requirements for FLSA's exemption extends only to an "eligible" employee's use of leave required by FMLA.

**For additional information, visit our Wage and Hour Division Website:**

**<http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).**

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

U.S. Department of Labor  
Frances Perkins Building  
200 Constitution Avenue, NW  
Washington, DC 20210

1-866-4-USWAGE  
TTY: 1-866-9243  
[Contact Us](#)



## 4211.5

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **NON- LICENSED STAFF**

Non- licensed staff (e.g., secretaries, custodians, aides, etc.) of the schools of the diocese shall be recruited, employed, assigned, evaluated, and provided in-service education without discrimination on the basis of age, race, sex, disability, ancestry, citizenship, religion or national origin. Non-licensed staff shall be assigned responsibilities commensurate with their qualifications and in accordance with written job descriptions.

Non-licensed staff is to be supervised and evaluated annually according to a planned sequence of observations and evaluation conferences. They shall have the opportunities to participate in in-service education which shall include:

- a) cooperative planning, implementation, and evaluation;
- b) job-related training in areas of need identified in personnel evaluations; and
- c) orientation activities for new employees.

Records shall be maintained on the participation of staff in in-service activities.



## 4212.0

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **ATHLETIC STAFF**

Prior to hiring athletic personnel and/or volunteers, schools are required to have applicants meet the requirements of a criminal background check. Schools must also check references and previous school employment/volunteer records. If an applicant has been employed/ volunteered at another Diocesan high school, the school must contact the Superintendent of Schools prior to the final selection process.

All coaches, paid and volunteer, must attend “Protecting God’s Children” workshop and have a current Pupil Activity Permit issued by the state of Ohio prior to working with students.



## 4242.3

ELEMENTARY

POLICY

SECONDARY

REGULATION

BOTH

### PERSONNEL

#### **SICK LEAVE TRANSFER FOR TEACHERS**

Such sick leave as has been accumulated cannot be lost in transfer from one school to another within the diocesan system, not to exceed the maximum number of days allowed by the receiving schools.

Accumulated sick leave benefits are not subject to payout upon a teacher's separation or retirement.