

BOOK II THE PEOPLE OF GOD

PART I CHURCH PERSONNEL

TITLE I GENERAL PERSONNEL POLICIES

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ARCHDIOCESAN EMPLOYEE PHILOSOPHY

The Archdiocese of Chicago provides a unique opportunity for employment. Archdiocesan work is impelled in a special way by the Church's biblical tradition and modern Catholic social teachings. Archdiocesan employment provides an opportunity to serve the two and a half million archdiocesan Catholics as well as to be an institutional agent of service to the human and social needs of the citizens of Lake and Cook Counties.

Archdiocesan employment involves participation in a grand mission to love, to serve and to shape the world in the image of God's reign. At the very basis of how each archdiocesan employee serves, regardless of the task or function we fulfill, is the question which underlines our earthly purpose: "How may we serve and assist others?"

Consequently, it is incumbent upon the Archdiocese as an employer and on every archdiocesan employee to reflect on the meaning of God's reign as intrinsic to our being an employer or employee.

In light of that reflection:

- We affirm that each person is created in the image of God and therefore each person has unalienable dignity and fundamental rights.
- We affirm that each person is a social being and lives in community and therefore each person has a mutuality of responsibility.
- We affirm that all are called to meet the demands of charity and the requirements of justice.
- We affirm that we are all connected with each other for the sake of the reign of God.
- We affirm that our work is done in the name of Jesus in order to build up the family of faith and to transform the world in which we live.
- We affirm that the presence of the Spirit in our midst enables us to move beyond our limitations, never leaving us complacent with our imperfections.

Consequently we are committed to:

- Diversity.
- Open and honest hiring practices.
- Justice in compensation and benefits.
- Treating each person with respect and dignity.
- Peaceful resolution of conflict in the work place.
- Appropriate assisting in each ones growth and spiritual development.
- Acting as just stewards of the resources entrusted to the local Church.

The Archdiocese of Chicago hears and commits itself to the call to justice. In its own policies and actions, the Church strives to live the justice it calls the world to live.

§100 EMPLOYMENT RELATIONSHIPS

§101 EMPLOYMENT STATUS

“Exempt” and “Non-Exempt” are terms used by the federal government to indicate which employees are, and which employees are not, subject to the provisions of the Fair Labor Standards Act (FLSA). This is the federal law that requires the payment of overtime wages to employees who are not exempt from its provisions (e.g. non-exempt). FLSA requires the determination “exempt” or “non-exempt” positions be made as described below in the procedures under policy 102.1. Such determination is not discretionary and is not subject to the preference of the employee or administrator. Examples of “exempt” employees are teachers, principals, directors of religious education, pastoral associates, youth ministers, music ministers, business managers, and those who have the authority to hire, fire, discipline, evaluate and supervise the work of others. Examples of “non-exempt” employees include parish and agency secretaries, school secretaries, housekeepers, cooks, maintenance/custodial workers, teacher’s aids and bookkeepers.

§101.1. Exempt vs. Non-exempt

101.1. Policy Each employee of the Archdiocese of Chicago, its parishes, schools and agencies¹, shall be categorized as either "exempt" or "non-exempt".

Procedures

- a) An exempt position is one that is predominantly executive, managerial or administrative in nature, or one that requires either a college degree or a combination of knowledge and experience in a specific field which is considered professional within the framework of diocesan operations. Outside salespeople and those employed on a commission basis are also exempt. Because these positions are "exempt," they do not require compensation of 1 1/2 times the regular hourly rate for work in excess of 40 hours in a week (Fair Labor Standards Act)
- b) Non-exempt positions are those which have responsibilities or requirements other than those listed in procedure a. (Fair Labor Standards Act)

¹ From this point on, the term “Archdiocese of Chicago employee” or “Archdiocese of Chicago personnel” means “Employees of the Archdiocese of Chicago, its parishes, schools and agencies.”

§101.2. Full-time/Part-time Status

101.2.1. Policy "Full time employees" shall be those employees who are scheduled to work the regular, weekly full-time schedule established by the location at which they are employed, but not less than 35 hours per week.

101.2.2. Policy Those employees who work fewer hours than 35 hours per week, but are regularly scheduled to work a minimum of 26 hours per week for 8 or more months per year, shall be "**benefits eligible part-time employees.**"

101.2.3. Policy Those employees who are regularly scheduled to work fewer than 26 hours per week or 8 months per year shall be "**regular part-time employees,**" and shall not be eligible to participate in employee benefit programs.

[Cf. OCE Personnel Policies, Title II, Chapter I]

§101.3. Independent Contractor vs. Employee

In general, all persons receiving compensation from the parish should be listed as employees. Individuals considered independent contractors are the limited exceptions to this general rule. These exceptions generally do not apply to most parishes, but are designed primarily to cover professionals such as lawyers, architects and accountants as opposed to maintenance workers, catechists, organists, cooks and housekeepers, receptionists, etc. Those who receive incidental payments such as payments to catechists (\$50 at Christmas and \$50 at the end of the year) should not be considered employees or independent contractors.

The Internal Revenue Service has 20 factors to be used to evaluate whether an individual is an employee or not. If the majority of these factors exist for the individuals hired, then they should be considered "employees."

101.3. Policy If the majority of the following factors exists for an individual who receives compensation from a parish, school or agency, then they shall be considered employees.

Factors

1. Worker is required to comply with instructions about when, where, and how work is done.
2. Worker needs to be trained.

3. Worker's tasks are integrated into normal business operations.
4. Worker's services must be personally rendered.
5. Worker is not responsible for hiring, paying,, or supervising assistants.
6. Worker has continuing relationship with the "employer."
7. Working hours are set by "employer."
8. Worker is required to devote full-time efforts to "employer's" business.
9. Job must be performed on "employer's" premises.
10. Worker's services must conform to order or sequence set by "employer."
11. Worker is required to submit regular or written reports.
12. Worker's payment is based on time spent instead of by the job.
13. Worker is reimbursed for travel and other expenses.
14. "Employer" furnishes tools, materials, and other equipment.
15. Worker has no significant investment in facilities (such as an office).
16. Worker has no risk of real economic loss.
17. Worker is not working for more than one "employer" at a time.
18. Worker does not make services available to the general public.
19. Worker is subject to discharge without "employer" penalty even if job specifications are met.
20. Worker can terminate relationship with "employer" without worker liability.

§101.4. Time Sheets and Work Schedules

*The Fair Labor Standards Act (FLSA) is the federal law that addresses the payment of overtime wages to employees who are not exempt from its provisions. FLSA also requires that **non-exempt employees** complete their own time records for each work week, and submit them to the employer. This is intended to ensure that employees are properly paid, and that they receive any overtime wages they may have coming. Time records are also necessary as documentation of an employee's hours in the event a dispute should arise over compensation issues. While FLSA does not mandate time records for employees who are **exempt** from its provisions, it is required under Archdiocesan policy as a means of administering our various paid time-off benefits.*

§101.4.1. Full-Time Exempt Employees

101.4.1. Policy Every exempt full-time employee shall complete and submit a time record according to the following procedures.

Procedure

- a) Time records are submitted on a weekly, bi-weekly or semi-monthly basis, as appropriate in keeping with the local pay frequency.
- b) An exempt full-time employee is only required to indicate whether he/she is present or absent each day, and when appropriate, indicate the type of absence where requested. An exempt full time employee is considered to be present if he/she works any portion of the day (i.e., only whole day absences are considered for a full-time exempt employee).
- c) Time records must be signed by the employee and his/her direct supervisor prior to submission to the payroll processor.
- d) The supervisor must maintain a copy of all time records. The supervisor, not the employee, must deliver or mail the time record to the payroll department.
- e) Work schedules and break periods are determined locally.

§101.4.2 Full-Time Non-Exempt Employees

101.4.2. Policy Every non-exempt full-time employee shall complete and submit a time record according to the following procedures.

Procedure

- a) Time records must be submitted on a weekly, bi-weekly or semi-monthly basis, as appropriate in keeping with the local pay frequency.
- b) Non-exempt full-time employees are required to indicate the total hours worked each day, excluding lunch periods. When applicable, employees are to indicate the type of absence where requested. A line must be drawn through open dates and spaces before the supervisor signs the time record.
- c) Time records must be signed by the employee and his/her direct supervisor prior to submission to the Payroll Processor.
- d) The supervisor must maintain a copy of all time records. The supervisor, not the employee, must deliver or mail the time record to the payroll department.
- e) Work schedules and break periods are determined locally. Employees scheduled to work 7 or more hours in a day are entitled under state law to an unpaid meal period of not less than 20 minutes, which must be taken in the first 5 hours of work. Actual meal periods are determined locally, but should not exceed 1 hour.

§101.4.2 Full-Time Non-Exempt Employees

101.4.3. Policy Every part-time employee shall complete and submit a time record according to the following procedures.

Procedure

- a) Time records must be submitted on a weekly, bi-weekly or semi-monthly basis, as appropriate in keeping with the local pay frequency.
- b) All exempt and non-exempt part-time employees are required to indicate the total hours worked each day, excluding lunch periods. Where applicable employees are to indicate the type of absence where requested. A line must be drawn through open dates and spaces before the supervisor signs the time record.

- c) Time records must be signed by the employee and his/her direct supervisor prior to submission to the payroll processor.
- d) The supervisor must maintain a copy of all time records. The supervisor, not the employee, must deliver or mail the time record to the payroll department.

§101.5 Absences and Tardiness

101.5. Policy If for some reason an employee will be absent from work, or significantly late in arriving, the employee shall notify his/her supervisor no later than the locally specified time period past the employee's scheduled starting time. Excessive absence or tardiness may result in disciplinary action, including discharge, as provided in §703.

§102 CIVIL AND CANON LAW

102.1. Policy The Archdiocese of Chicago shall follow all applicable civil and canon laws pertaining to the employment of church personnel (see especially Canon 231).

Note

This policy covers the numerous laws and regulations that are not mentioned in this manual, but which the Archdiocese follows. Some civil and canon laws will be covered in this manual because of their importance and frequency of application in the Archdiocese.

§200 RECRUITMENT

§201 POSITION DESCRIPTIONS

"A job description is a concise outline of the responsibilities of a given position. It also indicates to whom the person hired will be accountable and the basic expectations being made of him or her. . . . It serves as a frame of reference for future performance appraisal. . . . The job description, together with an evaluation of education and professional experience, is a factor in determining a just compensation package of salary and benefits." (Coordinating Parish Ministry, 37)

§201.1. Policy Every position in the Archdiocese of Chicago shall have a position description.

Procedures

A position description shall specify or indicate:

- a) The title of the role or position that is both accurate and in accord with current terminology in the larger Church, particularly in the Archdiocese of Chicago.
- b) The title of the position(s) to whom the person will be accountable.
- c) The titles of positions, if any, who are accountable to this position.
- d) General or overall responsibility in the context of how this position clearly fits into the structure and mission of the parish, school or agency.
- e) A list of specific responsibilities or tasks.
- f) The essential functions of the position for purposes of complying with the Americans with Disability Act, for employment.
- g) Very often, one position description will be applicable to several people who hold the same title, however there are circumstances in which that position description may be customized.

§202 SELECTION AND SCREENING

§202.1. Equal Employment Opportunity

202.1.1. Policy The Archdiocese of Chicago shall assure equal employment opportunity in all its employment policies and practices. These policies and practices shall be administered without regard to race, color, national origin, age, gender, marital status, political affiliation, veteran status, sexual orientation, or mental or physical disabilities not affecting one's ability to perform the essential functions of one's job.

Procedures

- a) Primary responsibility for ensuring compliance with this policy rests with the pastor, principal or administrator at each location.
- b) The Director of Employee Services is responsible for monitoring and implementing the overall effort of the Archdiocese of Chicago with regard to equal opportunity issues, and for reporting to the Director of Personnel Services and the Cabinet on its progress.
- c) There are certain positions in the Archdiocese for which it is necessary to be Catholic, and some positions for which preference in hiring shall be given to people who are Catholic and who evidence an understanding of the Catholic faith and a commitment to living that faith.
- d) The Archdiocese of Chicago shall comply with the employment section of the Americans with Disabilities Act and shall hire without regard to disabilities, where with reasonable accommodations the person can perform the essential functions of the job.

202.1.2. Policy In furtherance of the equal employment opportunity policy, the Archdiocese of Chicago shall strive to employ minorities at all levels. Likewise, the Archdiocese shall strive to employ women at all levels except those positions precluded by Canon Law.

§202.2. Appropriate Employment Relationships

The relationship between certain types of jobs sometimes makes it necessary to place restrictions on the employment relationship of immediate family members.

202.2.1. Policy Generally, immediate family members shall be prohibited from working in a supervisor/subordinate relationship, and under certain circumstances, may be prohibited from working as co-workers in the same department, agency, school or parish.

Procedures

Immediate family members shall be defined as children, parents, siblings, spouse, in-laws, grandparents, and individuals residing in the same household, whether related or not, other than members of Religious Congregations

§202.3. Re-employment of Retirees

202.3.1. Policy Retirees who wish to be re-employed by the Archdiocese of Chicago may be re-hired after a 90-day termination period, and shall receive their full retirement benefit in addition to their salary -- provided they are re-employed on a part-time basis and are regularly scheduled to work no more than 25 hours per week.

Procedures

Retirees who are re-employed with a regular schedule of 26 or more hours per week will have their retirement benefits suspended until such time as their new period of employment with the Archdiocese is terminated.

§202.4. Applications

202.4. Policy The hiring process shall not be complete without an official Archdiocese of Chicago Employment Application, whether or not they have submitted a detailed resume.

§202.5. Interviewing

The interview is a critical step in a just and professional employment process. The interview is the time in which both the employer and candidate can gain vital information that will assist both in deciding whether the position will properly serve the interests of both parties. Professional demeanor on the part of the employer is essential.

202.5.1. Policy No candidate for employment shall be hired for any position without having been properly interviewed at all appropriate levels.

§202.6. Verifications

202.6. Policy A candidate's employment history, academic preparation and references shall be carefully checked prior to being offered a position.

§202.7. Criminal Background Checks

The Archdiocese shall establish and implement uniform policies and procedures regarding criminal background information checks to review the fitness of individuals involved in the care, ministry, and education of our children. The purposes of these policies and procedures are the safety of children, the well being of the community, the protection of the employee, and the integrity of the Church. The policies and procedures shall be fair and responsive to the pastoral needs of the community, including the applicant.

§202.7.1. Criminal Background Information Checks

202.7.1. Policy Any individual who accepts a paid or volunteer position with an Archdiocesan parish, school or agency which entails or may entail unsupervised access to a child, the elderly or persons with disabilities on or after January 1, 1998, shall submit to a criminal background check.

Procedures

There are many positions in the Archdiocese that involve or may involve unsupervised access to children, the elderly or persons with disabilities. The persons filling these positions, whether they are volunteers or employees, will be asked to submit to criminal background checks as a condition to their continued work on behalf of the agencies, parishes and schools of the Archdiocese. The following positions are among the positions that will require background checks:

principals, teachers, substitute teachers, teacher aids, school secretaries, school maintenance workers, catechetical leaders, catechists, catechist aides, youth ministers, coaches and scout leaders.

§202.7.2. Discovery of Criminal Background Information

202.7.2. Policy If any criminal background information is revealed for any new or current employee or volunteer, that information shall be referred to the Office of Legal Services for review and consultation with the Director of Personnel Services. The Director of Personnel Services shall make a final determination as to whether a position shall continue to be made available to the individual.

Procedures

Although the Director of Personnel Services is responsible for making the final decision as to whether a person shall continue to be employed in that position, the Director will consult with the pastor and/or principal or agency director and other appropriate Archdiocesan personnel.

§202.7.3. Confidentiality and Disclosure of Information

202.7.3.1. Policy Information generated in connection with the process set forth in §202.7 shall be maintained in a confidential manner and shall only be disclosed in accordance with §202.7 and applicable state and federal law.

202.7.3.2. Policy The Office of Employee Services shall be the custodian of all information described in §202.7 and shall develop an appropriate record-keeping system to ensure accountability for and security of the information.

§202.8. Employment Contracts and Agreements

Ordinarily, contracts and agreements are reserved for teachers and principals unless there are specific circumstances which require such an agreement.

§202.8.1. Scope

202.8.1. Policy Contracts or agreements shall only be offered to qualified teachers and principals, unless specific circumstances, such as a temporary position, warrant such an agreement.

§202.8.2. Authorization

202.8.2. Policy Only the pastor, parochial administrator, principal, or agency director shall be authorized to offer or approve an employment contract or agreement. If a contract or agreement is not a standard document in current use in the Archdiocese, the Office of Legal Services must be consulted.

Note

At the Pastoral Center, any employment contract or agreement must be authorized by the Chancellor.

§203 HIRING

§203.1. Job Offers

203.1.1. Policy Ordinarily a formal job offer shall be confirmed in writing.

Procedures

- a) A written job offer includes: schedule; salary; job description; job title; benefits; and any special requirements.
- b) As a professional courtesy, the local administrator should contact all unsuccessful candidates interviewed.

203.1.2. Policy Any offer of employment is contingent upon the truthfulness and accuracy of information provided by the candidate during the application or interview process. An offer of employment shall be revoked if any falsification or omission of material facts is discovered. Furthermore, if such falsification or omission is discovered after a candidate has been hired, he/she shall be subject to immediate discharge as provided in §703.

§203.2. Required Documentation

203.2. Policy All employees must, at a minimum, complete the following upon being hired:

- (1) Immigration Reform Act Form (I-9)
- (2) W4 for Illinois and Federal income tax withholding (if applicable)
- (3) Standard Archdiocesan Application (Form 7703) if not completed already.

(Cf. OCE Personnel Policies, Title II, Chapter I and ORE Personnel Policies, Title II, Chapter II)

§203.3. Immigration Legal Services

§203.3.1. Policy All agencies, offices, parishes, and schools of the Archdiocese of Chicago that seek to hire someone not legally authorized to work for the Archdiocese of Chicago must consult with the Office for Legal Services. The Office of Legal Services shall provide legal immigration services for prospective employees only if he/she meets eligibility criteria that would enable his or her change to lawful immigration status.

§203.3.2. Policy The Office of Legal Services shall provide immigration services to individuals employed by the Archdiocese of Chicago or to seminarians or seminary applicants for the Archdiocese of Chicago or make a referral to outside counsel.

§203.3.3. Policy No seminary applicant for the Archdiocese of Chicago shall be accepted to one of the Archdiocese of Chicago's seminary programs or formation programs unless he has the ability to gain lawful status in the United States.

§203.3.4. Policy The Archdiocese of Chicago shall be the only acceptable sponsor for anyone working for an agency, office, parish or school of the Archdiocese of Chicago. Individual parishes, schools and agencies of the Archdiocese of Chicago shall not serve as a sponsor for an individual for employment based immigration purposes. However, an agency, office, parish or school may employ an individual attending a seminary or university if the student has authorization to work pursuant to his/her lawful student immigration status.

§203.3.5. Policy The Archdiocese of Chicago shall not employ a person or continue to employ a person until that person's immigration status has been approved by the appropriate immigration authority.

a) Procedures applicable to all immigration services

1. Referrals for immigration legal services shall only be accepted by appropriate authority, which include the Chancellor, the Vicar General, the Archbishop's Delegate for International and Extern Priests, the Vicar for Religious, the Director of the Department of Personnel Services, and the Rectors/Presidents of the Archdiocesan Seminaries.
2. The Office of Legal Services shall maintain files on all seminarians and personnel who are not Lawful Permanent Residents or United States Citizens.
3. The Office of Legal Services shall decide whether to handle matters in house or refer to outside counsel.

4. The immigrant for whom the legal services have been provided shall provide the Office of Legal Services with notice of travel plans and copies of updated documentation upon his/her return. The Seminaries will assist the Office of Legal Services in monitoring compliance.
5. Application and petition fees charged by the United States government are at the expense of the immigrant applicant or the sponsoring institution. The Office of Legal Services shall provide legal services to the applicant, at no charge. The Archdiocese of Chicago shall not cover travel, lodging, food or other travel related expenses incurred in the process of obtaining a visa in a foreign country.

b) Additional procedures specific to Candidates for Admission to Seminary and Seminarians for the Archdiocese of Chicago

1. To the extent possible, all Archdiocesan candidates for seminary and seminarians shall seek and remain in F-1 (Student) status during their period of study at the seminary. The Archdiocese of Chicago shall prepare the filing for the R-1 (Religious Worker) visa and status on his behalf only after ordination to the priesthood. Prior to his ordination, he must provide the Office of Legal Services with all the requested documentation needed for his immigration case in a timely fashion.

c) Additional procedures specific to Priests ordained for the Archdiocese of Chicago

1. The Office of Legal Services shall prepare an application and compile the appropriate documentation for the priest to change to R-1 status upon his ordination.
2. After the priest has worked for the Archdiocese of Chicago for two years, the Office of Legal Services shall prepare a petition for the priest's lawful permanent residency, in conformity with immigration regulations that require proof of two years experience.
3. After five years of status as a lawful permanent resident, the priest may request that the Office of Legal Services prepare his application for U.S. citizenship, in conformity with immigration regulations.

d) Additional procedures specific to Candidates for Incardination

1. Any priest in the incardination process in need of immigration legal services shall seek authorization from the Archbishop's Delegate for International and Extern Priests for a referral.

e) Additional procedures specific to Externs

1. An extern priest shall seek authorization from the Archbishop's Delegate for International and Extern Priests for a referral to the Office of Legal Services. Extern Priests may be authorized for a total maximum period of five continuous years, unless he becomes a candidate for incardination to the Archdiocese of Chicago.

f) Additional procedures specific to Religious Order Priests

1. A religious priest working for the Archdiocese of Chicago shall seek authorization from the Office for Religious for a referral to the Office of Legal Services.

g) Additional procedures specific to Priest Chaplains

1. If a priest plans to work on a part-time basis as a Chaplain, the Archdiocese of Chicago's Office of Legal Services shall cooperate with the facility where the priest chaplain will be employed in filing a change of status with the appropriate immigration authority, so that the chaplain position is reflected as part of the approved employment.
2. In some cases, a priest may no longer be eligible for the R-1 (Religious Worker) visa, but may need to file for a different type of immigration status, such as an H-1B (Specialty Occupation). The chaplain's non-archdiocesan employer shall be responsible for its share of the legal costs for the filing of the required immigration petition.
3. If a priest plans to work on a full-time basis as a chaplain, immigration laws require the employer (e.g. a health care facility) to be the sole sponsor of that priest. Nonetheless, the priest must still receive the appropriate authorization and grant of faculties from the Archdiocese of Chicago prior to working there. Faculties will be issued only after verifying that the new employer will file the appropriate immigration petition and will not use the Archdiocese of Chicago as a named sponsor and that the priest is otherwise fit to perform public ministry. It will also be suggested to the new employer that it would be beneficial to use the services of outside counsel referred by the Office of Legal Services.
4. The priest may not begin working as a Chaplain until he receives the proper approval notice from the appropriate immigration authority regarding his Chaplain employment.

h) Additional procedures specific to Religious Sisters and Brothers

1. A religious sister or brother working for the Archdiocese of Chicago shall seek authorization from Office for Religious and the Director of Personnel for a referral to the Office of Legal Services.

i) Additional procedures specific to Lay Employees

1. A lay employee or prospective employee for the Archdiocese of Chicago shall seek authorization for immigration legal services from the Director of Personnel for a referral by having their proposed supervisor (in many cases, the Pastor or Principal) write a letter directed to the Director of Personnel with details concerning the individual's qualifications, proposed job duties, position, number of hours and proposed salary.

§203.4. Orientation

203.4. Policy All new employees shall be oriented at the local level as to their benefits, their duties and responsibilities, and policies and procedures pertaining to their position as well as the policies and procedures of the Archdiocese.

§300 COMPENSATION

Introduction

The Archdiocese of Chicago strives to pay each employee a salary that is appropriate for one's level of responsibility. Also, in determining one's salary, consideration is given to individual performance.

§301 COMPENSATION GUIDELINES AND SALARY RANGES

301.1. Policy Compensation for Archdiocesan employees shall be determined by reference to the current *Compensation Guidelines for Lay Employees, Men and Women Religious, and Diocesan Priests Working in Parishes, Pastoral Center and Agencies*.

Procedures

If the position is not found in the *Guidelines*, the Pastor, Principal, or Administrator may consult with Employee Services before determining the compensation of the employee.

§302 PAY FREQUENCY AND CALCULATION

302.1. Policy Pay frequency shall be determined locally, but shall not be less frequent than monthly.

302.2. Policy All applicable federal and state deductions shall be made for all employees.

§303 OVERTIME

§303.1 Eligibility

303.1. Policy Only non-exempt personnel, as defined in §102.1, shall be paid overtime compensation.

§303.2 Overtime Compensation

303.2.1. Policy Hours worked in excess of the regular part-time or full-time schedule but less than 40 in a calendar week shall be compensated at straight time wages.

303.2.2. Policy Hours actually worked in excess of 40 in a calendar week, whether or not approved in advance, shall be compensated at 1 1/2 times straight time wages. This overtime rate applies only to hours actually worked in excess of 40 in a calendar week. Benefits such as holidays, vacations, sick days, etc. are not considered hours actually worked.

Procedures

All hours worked in excess of the regular full-time schedule in a calendar week shall be approved in advance by the Pastor, Principal, Administrator or appropriate agency director. Unapproved overtime must still be compensated in accordance with policy 303.2.2, but can be addressed through disciplinary action, as provided in §703.

§304 COMPENSABLE TIME ("COMP TIME")

304.1. Policy Non-exempt employees, as defined in §102.1, shall not be eligible to receive comp time.

304.2. Policy Comp time may be granted to exempt employees at the discretion of the Pastor, Principal, Administrator or appropriate agency director as long as the practice is applied consistently, in a non-discriminatory manner, to all applicable employees at that location.

Procedures

- a) Comp time for exempt employees refers to granted time off in the future for time currently worked.
- b) It is advised that pastors and supervisors require that comp time be taken within a realitively short period of time (e.g. 60 business days) and that the specific time taken be pre-approved.

§400 BENEFITS

§401 ELIGIBILITY

401.1. Policy Full-time and benefits eligible part-time employees as defined in §101.2 shall be eligible for all employee benefits provided for their respective group (e.g. lay, religious, archdiocesan priests).

401.2. Policy Personnel who are not full-time or benefits-eligible part-time as defined in §101.2 shall not participate in any Archdiocesan benefits programs under any circumstances.

401.3. Policy Employee benefits shall not be offered or withheld on a selective basis.

401.4. Policy No parish, school or agency may pay the employee cost of benefits.

401.5. Policy Eligibility and accrual of employee benefits continues for employees who transfer between parishes, schools and agencies with a break in service of 90 days or less.

Procedures

Conditions for coverage by these benefits varies according to the specific benefit.

§402 INSURANCE**§402.1. Medical Insurance****§402.1.1. Basic Coverage**

402.1.1.1. Policy Medical insurance benefits shall be available for single or family coverage through either a conventional health care plan or an HMO. To be eligible for one of these programs, an employee must meet the eligibility requirements as defined in §102.2.

402.1.1.2. Policy The Archdiocese of Chicago shall share the premium of individual medical insurance coverage with the individual for all full-time and benefits eligible part-time lay and religious employees and extern priests. The majority of that premium shall be paid by the Archdiocese. Coverage shall be in effect from the first of the month following one calendar month of service, and shall continue until the employee terminates coverage or employment, or retires. Employees adding single or family coverage through the conventional health plan at any time other than when first eligible will be subject to evidence of insurability. Employees adding single or family coverage through an HMO at any time other than when first eligible may do so without evidence of insurability but only at the open enrollment period. The Archdiocese will subsidize dependent coverage at a level to be determined annually.

Procedures

- a) Additional information on late enrollment is available from the Office of Employee Services.
- b) Husband and Wife Working for the Archdiocese Where a husband and wife both work for the Archdiocese and are both eligible for benefits, the single coverage premium for one may be credited toward the dependent coverage deduction if one individual voluntarily waives his/her single, employee coverage. The amount of such credit will be equal to the lesser of the cost of single coverage or the cost of dependent coverage for the selected plan.
- c) For men and women religious who are covered through their religious congregation, the congregation will be reimbursed up to the amount normally paid for individual coverage through the Archdiocese's health insurance plan.

§402.1.2. Extended Coverage at the Time of Termination

402.1.2.1. Policy Though not required to do so under federal regulations, the Archdiocese of Chicago shall offer an extended health care program for up to nine months at an individual's expense, in compliance with state regulations. Family coverage can also be extended if dependents are already covered at the time of termination.

402.1.2.2. Policy An employee terminating for any reason (except retirement at age 65 or older), a surviving spouse or children, or a divorced spouse who is enrolled in one of the health plans offered by the Archdiocese at the time of termination, death, or divorce shall have the opportunity to choose one of the following options with regard to his/her health benefits.

- (A) extend medical coverage under the group plan, at the employee's own expense, for up to nine months or until he or she becomes eligible for other group health coverage (including Medicare), OR
- (B) cancel the insurance at the end of the month in which the termination, death, or divorce takes place, OR
- (C) convert to a private policy with the appropriate HMO provider if enrolled in an HMO at the time of termination.

Procedures

- a) Terminating employees, surviving spouses or children, or divorced spouses who choose option (A) shall also have the opportunity to exercise option (C) when their extended coverage period expires, if coverage had been provided through an HMO.
- b) If an employee has individual coverage at the time of termination, he/she may not add family coverage during the extended coverage period.
- c) Within 30 days of termination, death, or divorce, an *Extended Coverage Application Form* shall be completed and sent to the local administrator. The completed application form shall also include a check for the first month's coverage. The application and check shall then be forwarded to employee services by the local administrator.
- d) For subsequent months, the monthly premium checks shall be sent directly to the Extended Coverage Section of the Office of Employee Services prior to the first of each month for which the premium is to be applied.
- e) Coverage may be continued up to nine months, or until one becomes eligible for other group health coverage, including Medicare.

- f) For policies regarding extended health benefits for employees terminated as a result of staff reductions and closings, see §704.6.
- g) Spouses of employees, after termination of the marriage due to either divorce or the death of the employee, will be given the option to continue all health insurance coverage, including medical and dental benefits at their own expense, but at group rates. As required by law, this is a more extensive option than is available to terminated employees.
- h) The spouse or ex-spouse may continue coverage:
 - 1) for 2 years (if under age 55)
 - 2) until becoming eligible for Medicare (if 55 or older when the marriage is terminated, or at the time of the employee's death or retirement)
 - 3) until remarriage
 - 4) until obtaining other group coverage
 - 5) until failure to pay the required premium on a timely basis
 - 6) until he/she would have become ineligible had the couple remained married.
- i) Upon termination of extended coverage, the spouse or former spouse is entitled to convert to an individual policy, if enrolled in an HMO plan.

§402.2. Dental Insurance

402.2. Policy Dental benefits shall be available to all full-time and benefits eligible part-time employees for single or family coverage through either a conventional dental insurance plan or a dental HMO. Enrollment is optional, and all premiums for single and family coverage shall be paid by the employee.

§402.3. Life Insurance Benefits

402.3. Policy All full-time and benefits eligible part-time lay employees shall be provided life insurance coverage at no cost in an amount equal to their annual salary rounded to the next highest \$1000, subject to plan limitations. Coverage shall be in effect from the first of the month following one calendar month of service, and shall continue until the employee terminates employment or retires.

- a) All full-time and benefits eligible part-time lay employees shall have the option to purchase additional term life insurance in amounts of one

to four times annual salary, at their own expense, subject to limitations outlined in the plan document.

- b) Terminating or retiring employees shall have the option of converting their basic and optional coverage to an individual policy. Premiums must be paid at their own expense directly to the carrier.

§402.4. Long Term Disability

402.4. Policy The Archdiocese shall provide long term disability insurance coverage at no cost to full-time and benefits eligible part-time lay employees.

Procedures

- a) The long term disability plan booklet contains more detailed information.

§402.5. Cafeteria Plan

402.5. Policy All lay employees who select benefit options requiring payroll deductions for health or dental premiums shall have those deductions on a pre-tax basis, unless such employees elect in writing to have deductions on an after-tax basis.

Procedures

- a) An employee who has pre-tax deductions will have his/her gross pay reduced by the amount of eligible premiums before state, federal and FICA taxes are calculated. The result will be a greater amount of net pay each payday, but this may reduce the amount of future pension and social security benefits which are based on W-2 earnings.
- b) An employee who chooses post-tax deductions will have his/her net pay reduced by the amount of eligible premiums after state, federal and FICA taxes are calculated.
- c) Benefits-eligible lay employees who choose post-tax benefit deductions will be required to complete a cafeteria plan waiver form each year and submit it to the local administrator.

§402.6. Open Enrollment

402.6. Policy Employees who participate in one of the health or dental plans offered by the Archdiocese shall be given the option to switch to a different plan during the annual open enrollment period. At that time, employees shall also have the opportunity to enroll in health, dental and optional life benefits under the procedures outlined in the open enrollment materials.

§403 PENSION

403.1. Policy All full-time and benefits eligible part-time lay employees shall be eligible to participate in a noncontributory pension plan from their first day as a full-time or benefits eligible part-time employee. This benefit shall be provided at no cost to the employee, and shall provide supplemental benefits in addition to Social Security upon retirement.

403.2. Policy The parish, school or agency shall make an annual contribution to the congregation's pension plan for each religious staff member in the amount indicated in the annual *Compensation Guidelines*.

403.3. Policy The Archdiocese of Chicago shall not require mandatory retirement at any age.

Procedures

- a) An employee may retire at age 65, with full benefits. However, an employee may retire at any age between 55 and 65, with a reduction in monthly benefits, as long as he/she is a vested employee.
- b) When an Archdiocesan employee is planning to retire, he/she shall notify Employee Services no later than 3 months prior to retiring to ensure that benefits will begin at the desired time.

§404 TAX DEFERRED ANNUITY

The Archdiocese' tax deferred annuity is a voluntary plan adopted to help employees provide for retirement.

404.1. Policy All employees, except for men and women religious, shall be eligible to participate in a tax deferred annuity program through Aetna, and shall be allowed to enroll at any time.

§405 VACATION

405.1. Policy The Archdiocese of Chicago shall provide paid vacation for full-time and benefits eligible part-time employees, based on years of service as of the beginning of either the fiscal or calendar year as determined locally, in accordance with the following schedule:

Non-exempt Personnel:

- (1) Less than one year of service: 1 day per full month of service to a maximum of 10 days to be allocated at the beginning of the fiscal or calendar year following the employees date of hire.
- (2) At least 1 year, but less than 5 years: 2 weeks
- (3) At least 5 years, but less than 15 years: 3 weeks
- (4) 15 or more years: 4 weeks

Exempt Personnel:

- (1) Less than one year of service: 1.5 days per full month of service to a maximum of 15 days to be allocated at the beginning of the fiscal or calendar year following the employees date of hire.
- (2) At least 1 year, but less than 5 years: 3 weeks
- (3) 5 or more years: 4 weeks

This policy shall not have the effect of reducing the vacation days per year for any one employed as of June 30, 1997.

Procedures

- a) Vacation time is earned from either July 1 to June 30 or January 1 to December 31 depending on the benefit year selected by the local administrator.
- b) The benefit year must be uniform for all employees at the particular parish, school or agency, and must be clearly communicated to the staff.
- c) During the fiscal year in which an employee reaches his/her 5th or 15th year of service, such an employee shall be entitled to the additional week of vacation as of his/her anniversary date, to be taken in that fiscal year provided that the anniversary date does not fall within the last two weeks of that benefit year.
- d) For benefits eligible part-time employees, vacation is calculated on a pro-rated basis. (i.e. If an employee works 26 hours per week, then the value of a vacation week is 26 hours.)

405.2. Policy Years of service shall be based on the date the employee began his/her most recent period of continuous full-time or benefits eligible part-time service with any parish, school or agency of the Archdiocese of Chicago if a transfer is made without a break in service greater than 90 days.

405.3. Policy Regular part-time employees shall not be eligible for paid vacation benefits.

405.4. Policy All vacation requests shall be subject to the approval of the pastor, parochial administrator, principal or agency director.

405.5. Policy All vacation time shall be taken during the year for which it has been allocated, unless a carry over is approved in advance by the pastor, parochial administrator, principal or agency director. Failure to get approval shall result in the forfeiture of such benefits. All vacation benefits carried over to the following year shall be taken by the end of the next calendar quarter (March 31 or September 30), or such benefits shall be forfeited.

405.6. Policy Vacation benefits shall not be taken in the form of additional cash benefits at the end of the benefit year.

§406 PERSONAL DAYS

406.1. Policy The Archdiocese of Chicago shall provide all full-time and benefits eligible part-time employees 2 personal days as of the beginning of the benefits year. New full-time employees and benefits eligible part-time employees shall not enjoy this benefit until the beginning of the next benefits year following their date of hire.

(Cf. OCE Personnel Policies, Title II, Chapter I)

Procedures

Personal days for benefits eligible part-time employees shall be compensated in accordance with their regular work schedules for those days.

406.2. Policy Personal days may be used for any reason but are subject to prior approval by the pastor, principal, parochial administrator or agency director.

Procedure

Prior approval by the local administrator is needed to determine if the day(s) are appropriate to be absent. There is no prior approval required of the reason for the absence.

406.3. Policy Unused personal days shall not be compensable at the end of the year or upon termination of employment, and they shall not accumulate or carry over from one year to the next.

(Cf. OCE Personnel Policies, Title II, Chapter I)

§407 SICK DAYS

407.1. Policy The Archdiocese of Chicago shall provide all full-time employees and benefits eligible part-time employees 10 paid sick days as of the beginning of the benefits year. In their first year of service, full-time employees and benefits eligible part-time employees shall be allowed as many paid sick days as there are full months remaining in the benefits year as of their hire date, up to a maximum of 10 days.

(Cf. OCE Personnel Policies, Title II, Chapter I)

Procedure

- a) Sick days for benefits eligible part-time employees shall be compensated in accordance with their regularly scheduled hours for those days.
- b) Non-exempt employees may use sick days in 1/2 day increments.
- c) Exempt employees may not be charged for absences less than a whole day, except as provided by the Family Medical Leave Act.

407.2. Policy Sick days shall be used only for the illness of the employee or an immediate family member who requires the care of the employee. They shall not be used as vacation days or for other personal business, except in some bereavement absences according to policy 409.4.

Procedure

Immediate family member is defined as a spouse, son or daughter, parent, dependent living in the same household, or another member of a religious congregation residing in the same household.

407.3. Policy Employees using five or more consecutive sick days, whether paid or unpaid, shall be required to provide a release from their doctor if their absence is due to their own illness, or an acknowledgment from the doctor that the family member was under his/her care if their absence is due to the illness of an immediate family member, before returning to work.

407.4. Policy Unused sick days shall not be compensable at the end of the year, or upon termination. However, they will accumulate from year to year, up to a maximum of 120 days. Sick days accumulated through employment with one parish, school or agency of the Archdiocese will carry over to employment at another parish, school or agency of the Archdiocese if a transfer is made without a break in service greater than 90 days, as long as the employee remains benefits eligible.

§408 HOLIDAYS

408.1. Policy The number and choice of paid holidays shall be determined locally by the parish, school or Pastoral Center, and shall be made available to all full-time and benefits eligible part-time employees.

Procedures

- a) Holidays for benefits eligible part-time employees shall be compensated in accordance with their regular work schedules for those days.
- b) Eligible employees who are required to work on a paid holiday shall be given an alternate day off with pay within a given time frame as determined locally.
- c) The holiday schedule should minimally include the following standard national holidays: New Years, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas.

§409 OTHER BENEFITS

§409.1. Jury Duty

The Archdiocese encourages its employees to fulfill their civic responsibility when summoned to jury duty or subpoenaed to serve as a witness in a legal proceeding.

409.1.1. Policy Employees receiving court summons for jury duty or a subpoena shall notify their supervisor immediately so that necessary arrangements for substitute personnel can be made while they are serving. Employees shall be paid their regular salaries while serving on jury or witness duty.

Procedure

While serving on jury or witness duty, employees shall report to work any time they are released by the court early enough to do so.

§409.2. Military Duty

409.2.1. Policy Employees, who are members of the National Guard or a reserve unit of the U.S. Armed Forces, who are required to report for temporary training, shall be allowed time off from work with pay for such training up to a maximum of 4 weeks.

Procedures

- a) This shall not apply to time off for training or other duties in which the employee participates on a voluntary basis, nor to time off for training or other duties for active service for an indefinite period.
- b) Employees must submit the pay they receive from the government to the local administrator upon their return.

§409.3. Voting Time

409.3.1. Policy The Archdiocese shall comply with all applicable voting laws.

Procedure

Current law provides for up to two hours off without pay to vote if the employee requests it and does not have at least two consecutive hours off outside the regular work day when the polls are open.

§409.4. Bereavement

409.4.1. Policy The Archdiocese of Chicago shall grant all full-time and benefits eligible part-time employees up to ten days off, with pay, in the event of the death of a spouse or child; and up to five days off for a parent or sibling. Two days off for the death of other close family members or friends may be permitted with the written permission of the supervisor.

Procedures

- a) According to family need, employees may use up to ten days of accrued sick days in addition to the bereavement days.
- b) When travel of more than 200 miles from a work site is required, an additional paid bereavement day may be added.
- c) If the Vicar of Administration, Pastor or Principal permits an employee to attend a funeral of a co-worker, those employees attending the funeral service should record that time as "Paid Bereavement Time."

§409.5. Time-Off-School

Parents may be asked to consult with their children's teachers from time to time throughout the year. The School Visitation Act requires employers, including the Archdiocese, to allow their employees time-off for parent-teacher conferences.

409.5.1. Policy The Archdiocese shall allow time-off for parent-teacher conferences. Time-off will be provided without pay except for exempt employees who can not legally be docked for an absence less than a full day. Non-exempt employees may use vacation or personal days to be compensated for this time-off.

Procedures

Schedules may be adjusted during the same work week so that non-exempt employees may make up lost time and wages.

§409.6. Worker's Compensation

409.6. Policy The Archdiocese shall comply with the Worker's Compensation Act of Illinois.

Procedures

- a) Employees must report all work related illnesses and injuries to the local administrator and an *Employer's First Report of Injury or Illness* (Form 45) must be completed by the administrator.
- b) Bills for medical treatment resulting from a work related illness or injury must be given to the local administrator for submission to the workers compensation administrator at Gallagher and Bassett.
- c) Bills for such treatment arising from work related illness or injury must not be submitted to the employees group-health provider.
- d) Employees are encouraged, but not required, to use the Affordable Health Care Network as suggested by Gallagher and Bassett Services. (Contact local administrator for details).

§409.7 Retreats

409.7. Policy Religious employees and certain lay employees (for whom retreats are considered a normal part of their job or ministerial formation) in ministry positions shall be eligible for one week of religious retreat per fiscal year. Religious retreats are indicated as a benefit for their position in the Compensation Guidelines.

Procedures

- a) Paid time off is provided for one week.
- b) Retreats may be paid for from an employee’s professional growth allowance.

§409.8 Professional Growth

409.8. Policy An allowance shall be allocated every fiscal year for professional growth for employees in certain professional and ministry positions as stipulated in the Compensation Guidelines.

(Cf. OCE Personnel Policies, Title II, Chapter I)

Procedures

- a) Please refer to the most current compensation guidelines for the positions eligible and the amount to be allocated.
- b) The professional growth allowance is to be used for retreats, education, job related programs, books and materials selected by the employee and approved by his/her supervisor.

§409.9 Graves and Crypts

The Archdiocese of Chicago offers an allowance to employees, to ensure that each employee has adequate future burial space for themselves, their spouse and their dependent children.

409.9.1. Policy All full-time and benefits eligible part-time employees shall be entitled to an Employee's Allowance on Crypt and Grave Selections in the Catholic Cemeteries of the Archdiocese of Chicago in accordance with the current schedule provided by Catholic Cemeteries.

Procedures

Employee Allowances shall apply to one grave or one crypt selected for:

- a) Each Archdiocesan Employee
- b) The spouse of the Archdiocesan Employee
- c) Each dependent child of the Archdiocesan Employee.

§410 BENEFITS FOR SHARED EMPLOYEES

410.1. Policy Employees working a total of 26 or more hours per week for 8 or more months of the year through combined Archdiocesan employment at multiple locations shall be offered the same benefit options as are provided for other benefits eligible employees.

Procedures

- a) Acknowledgment and approval of all participating pastors, parochial administrators, principals and agency directors is required for shared employee arrangements.
- b) If a pastor, parochial administrator, principal or agency director declines such an arrangement, the employee has the option to terminate from one or the other position.

§500 LEAVES OF ABSENCE

§501 FAMILY/MEDICAL LEAVE

§501.1. Allowable Term of Absence

501.1. Policy The Archdiocese of Chicago shall allow a continuous family or medical leave of absence of up to six months within any calendar year for all employees who have at least one full year of service, and 1,250 hours in the previous year, and who are certified by their doctor to be unable to work due to medical reasons for themselves or immediate family members, or require the leave of absence for child care, including: birth, adoption, or foster care.

Procedure

- a) “Immediate Family Member” is defined as an employee’s spouse, son or daughter, or parent, as prescribed by the Family Medical Leave Act.
- b) A leave of absence is only available to those employees who intend to return to work.
- c) Intermittent leave for medical reasons (e.g. every Wednesday and Friday off for treatment) will be limited to the equivalent of 12 weeks of time off, on a cumulative basis, within any calendar year.
- d) Employees are considered to be on family or medical leave continuously from their first day of absence for a qualifying reason to the earlier of their date of return, or the date six months after their first date of absence. This applies whether or not employees would normally be scheduled to work during the entire leave period.

§501.2. Compensation

501.2.1. Policy Full-time and benefits eligible part-time employees on family/medical leave shall be compensated to the extent that they have accumulated sick days or other available paid time off benefits.

Procedures

- a) Employees on a family/medical leave of absence may be required to use unused personal and/or vacation days at the employer's option.
- b) Employees shall not be compensated for holidays occurring while on family/medical leave, unless they choose to use accumulated sick days or vacation days. This only applies to those on inactive status by nature of an approved leave.

§501.3. Benefits

501.3.1. Policy No additional sick days, personal days, or vacation days shall be allocated to employees on a family/medical leave. However, if the employee returns to work on a full-time or benefits eligible part-time basis within the family/medical leave period, they shall have allocated to them, upon their return, such paid time-off benefits that would normally have been allocated to them during the family/medical leave period.

501.3.2. Policy During the family/medical leave period, the Archdiocese shall continue to provide individual health coverage at minimal cost to the employee. However, the cost of providing family coverage, optional benefits or family co-pay shall remain the responsibility of the employee.

§501.4. Reinstating

501.4.1. Policy Employees returning from a family/medical leave of absence, due to their own illness, shall be required to submit a written release from their doctor before reporting to work.

501.4.2. Policy Employees who return to work within the prescribed time and on the same basis as employed prior to taking a family/medical leave shall be reinstated at the same or comparable position at not less than the salary as before they left.

§501.5. Termination

501.5. Policy Employees who fail to return to work by the specified date of their family/medical leave period shall be considered to have voluntarily resigned their position. At that time, the employee shall have the same options as any other terminating employees with regard to continuing benefits.

§502 PERSONAL LEAVE

§502.1. Leave of Absence Duration

502.1. Policy The Archdiocese of Chicago may allow a personal leave of absence of up to 90 calendar days, subject to prior approval by the Pastor, Parochial Administrator, Principal or Agency Director, for all full-time and benefits eligible part-time employees who have at least one full year of service, and who request time off for other than family or medical reasons covered under §501.

Procedures

A leave of absence is only available to those employees who intend to return to work.

§502.2. Compensation

502.2.1. Policy Employees on a personal leave of absence shall use unused personal and vacation days. The remaining personal leave shall be without pay.

502.2.2. Policy Employees shall not be compensated for holidays occurring while on personal leave.

§502.3. Benefits

502.3.1. Policy No additional sick days, personal days, or vacation days shall be allocated to an employee while on a personal leave. However, employees who return to work on a full-time or benefits eligible part-time basis shall have allocated to them, upon their return, such benefits that would normally have been allocated to them during the personal leave period.

502.3.2. Policy During the personal leave period, the Archdiocese shall continue to provide individual health coverage at no cost to the employee. The cost of providing family coverage, optional benefits and family co-pay shall remain the responsibility of the employee.

§502.4. Reinstatement

502.4. Policy Employees who return to work within the prescribed time and in the same full-time/part-time status as of the time of the commencement of the leave, shall be reinstated in the same or comparable position at the same or comparable salary.

§502.5. Termination

502.5. Policy Employees who do not return during the prescribed time shall be considered to have voluntarily resigned their position. At that time, the employee shall have the same options as any other terminating employees with regard to continuing benefits.

§600 EMPLOYMENT EXPECTATIONS AND PRACTICES

§601 SEXUAL HARASSMENT

The Archdiocese of Chicago is committed to maintaining a work environment free of sexual harassment. Please refer to OCS Personnel Policies for policies regarding sexual harassment in schools.

§601.1 Sexual Harassment Claims

§601.1.1. Definition of Sexual Harassment

601.1.1. Policy Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature shall be considered harassment when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; OR
- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

(Cf. OCS Personnel Policies, Title II, Chapter I)

§601.1.2. Sexual Harassment Reporting

601.1.2.1. Policy All instances of alleged sexual harassment shall be reported to the immediate supervisor, or Pastor, Parochial Administrator, Principal or Agency Director.

Procedures

- a) If any employee believes that he or she has been subjected to conduct which may constitute sexual harassment, that employee shall immediately report the offensive conduct to his or her immediate supervisor. The supervisor shall then report the allegation to the Pastor, Principal or Director, who shall then report the allegation to the Office of Employee Services and/or the Office of Legal Services.
- b) If a complaint arises because of the action of the employee's supervisor or manager, the aggrieved employee shall contact a higher level of management locally, or the Director of Employee Services who, in turn, will advise the employee and consult with the appropriate level of management to resolve the issues surrounding the complaint.

- c) After an immediate and confidential investigation of the employee's complaint has been concluded, the employee shall be advised of the results of that investigation.
- d) Based on a finding of reasonable evidence that sexual harassment has occurred, necessary and appropriate disciplinary action up to and including discharge, shall be taken against the offending party as provided in §703.

601.1.2.2. Policy Retaliation in any form against an employee who exercises his or her right to make a complaint under this section shall be strictly prohibited, and shall itself be cause for appropriate disciplinary action, up to and including discharge as provided in §703.

Procedures

Reporting sexual harassment will not affect the individual's future employment, evaluations, or work assignments.

601.1.2.3. Policy Any one who knowingly makes false charges against an employee in an attempt to demean, harass, abuse, or embarrass that individual shall be subject to disciplinary action up to and including discharge as provided in §703.

§601.2. Confidentiality

601.2. Policy All parties involved in a sexual harassment complaint shall maintain strict confidentiality while the complaint is being investigated and evaluated.

§601.3. Management Responsibility to Communicate and Disseminate Policy

§601.3 Policy Pastors, Parochial Administrators, Principals and Agency Directors have a responsibility to communicate the Archdiocese's position on sexual harassment to all employees, and shall be held accountable for ensuring compliance with these policies in their area of responsibility.

Procedures

The communication and dissemination of these sexual harassment policies will be through the employee handbook, which will accompany these personnel policies.

§602 POLICIES FOR THE PROTECTION OF CHILDREN AND YOUTH: CHILD ABUSE AND NEGLECT

The primary purpose for the establishment of these policies and procedures is to ensure the safety of children, the well being of the community, and the integrity of the Church.

Abuse of minors, any person under the age of 18, by an employee, volunteer or cleric of the Archdiocese of Chicago violates human dignity, accepted professional standards of conduct, the moral teaching of the Catholic Church and Archdiocesan policy. Archdiocesan procedures implementing this policy shall be responsive to the needs of the victim, victim's family, the parish community or institution where the incident took place, and the employee or volunteer against whom an allegation is lodged and his or her family. Any employee and/or volunteer who has "reasonable cause to believe" that a child known to them in their professional or official capacity may be an abused or neglected child shall immediately report to the Illinois Department of Children and Family Services (DCFS) and then inform the Archdiocesan Office for Child Abuse Investigations and Review.

§602.2. Reporting the Allegation of Child Abuse and Neglect of a Minor

602.2.1. Policy The Archdiocese shall follow the Illinois Abused and Neglected Child Reporting Act, and any other applicable Federal, State or Local legislation pertaining to the protection of children/youth as well as Archdiocesan policy/procedures when there are allegations and/or suspicions of child abuse and neglect.

602.2.2. Policy All Archdiocesan "Mandated Reporters"¹ are obligated by State Law² and Archdiocesan Policy to report immediately allegations of abuse first to DCFS and second, if the accused is an employee, volunteer or cleric, to the Office for Child Abuse Investigations and Review.

¹ ANCRA identifies various categories of persons who are required by law to report suspected incidents of abuse and neglect. Such persons are commonly referred to as "mandated reporters". Mandated reporters include "school personnel", "recreational program or facility personnel", "homemakers or child care workers". Since 2003, priests and deacons, in their capacities as such, are also mandated reporters of sexual abuse, excluding privilege communications (e.g. sacramental confession).

² ANCRA, Illinois Abused and Neglected Child Reporting Act

602.2.3. Policy All Archdiocesan Employees and/or Volunteers³ who work with children and do not fall under the category of “Mandated Reporter” may call DCFS if they have reasonable cause to believe that a child known to them in their professional or official capacity may have been abused or neglected. Non-mandated reporters are required to notify their immediate supervisor or higher-level authority in the Archdiocese if they have reason to believe a child may have been abused or neglected and/or if they call the DCFS hotline. If the allegation or suspicion of abuse is against an employee, volunteer or cleric, living or deceased, the Archdiocesan Office for Child Abuse Investigations and Review must be contacted.

Procedures

All Archdiocesan employees and volunteers should:

Call DCFS immediately at 1(800) 252-2873 which is also 1(800) 25 ABUSE.

Document report on CANTS 5 form found on Archdiocese website.

Send completed CANTS 5 form to DCFS within 48 hours of the phone call and keep a copy.

Document all activities and actions taken. Maintain a log of all activities from the time an allegation is received or when a report is accepted by DCFS documenting all actions and contacts.

Notify immediate supervisor or higher level authority within the Archdiocese.

Call the Archdiocesan Office for Child Abuse Investigations and Review, 312-534-5205, immediately after calling DCFS.

Preserve confidentiality by discussing suspicions only with the alleged victim; the mandated reporter’s supervisor; any employee of DCFS, the Police Department, the State’s Attorney’s Office, and the Archdiocesan Office of Child Abuse Investigations and Review.

In the case of allegations made against Archdiocese employees and volunteers, the local administrator shall inform the parents of children involved when DCFS is called.

§602.3. Allegations and Investigation of Sexual Misconduct with Minors

602.3.1. Policy The Archdiocese shall provide appropriate assistance to those affected by the sexual misconduct of an employee or volunteer with a minor. Professional resources shall be made available through the Office of Assistance Ministry to aid in the pastoral care and emotional recovery of persons affected.

³ Any adult acting within the scope of their position, who is placed in a position of authority, trust, or supervision of minors or vulnerable adults. Includes, but is not limited to, religious educators, youth ministers and coaches. Other volunteer positions not directly engaged with children are left to pastoral discretion.

602.3.2. Policy The employee or volunteer against whom the allegation is lodged shall be notified of the allegation and immediately placed on administrative leave during the investigation/s ordinarily without loss of compensation.

602.3.3. Policy The Archdiocese, through the Office of Child Abuse Investigations and Review, shall investigate allegations received of sexual misconduct against a minor by a lay employee or volunteer.

Procedures

- a) The Archdiocesan investigation concerning the allegation and/or the violation of Archdiocesan policy will proceed as quickly as possible, doing all that is possible to ensure the confidentiality of the accused and the victim.
- b) In cases where DCFS and/or the State's Attorneys Office accept a report of child Abuse, Archdiocesan investigations will proceed with the timely consent of DCFS.
- c) While the employee is on administrative leave during the investigation he/she will be compensated according to the following criteria:
 - 1) She/he will receive full salary and benefits while investigations are being conducted.
 - 2) The outcome of either an internal or external investigation may result in the termination of compensation and/or employment.
 - 3) Compensation during the investigation may be terminated if it is determined that the employee violated Archdiocesan policy.
- d) Violation of Archdiocesan policy may result in immediate dismissal.

602.3.4. Policy If it is determined that the outcome of the investigation results in: an "indicated" finding by DCFS; a serious violation of Archdiocesan policy; acknowledgement by the accused; or a criminal conviction, the employee or volunteer shall be dismissed and shall not be allowed further employment by the Catholic Bishop of Chicago or acceptance as a volunteer in an Archdiocesan institution in which there is any possibility of contact with children.

Procedures

- a) In the case of sexual misconduct, a lay advisory board will make a written recommendation to the Director of the Department of Personnel Services regarding sexual misconduct cases and fitness for employment or volunteer status.
- b) The lay advisory board will consist of no less than five members. The Archdiocesan standing members of the advisory board are: Director of the Office for the Protection of Children and Youth, Chair, a representative from Legal Services and a representative from Human Resources. Other members of the advisory board will be selected that are appropriate to the situation.

602.3.5. Policy If the case is determined to be “unfounded” by DCFS, and the Archdiocese investigation has not identified a serious violation of Archdiocesan Policy, the employee shall be reinstated without loss of compensation or benefits. The volunteer shall be reinstated in his or her work for the Church.

Procedure

- c) Every effort shall be made to restore any damage to the person’s reputation.

§603 SAFE ENVIRONMENT COMPLIANCE POLICY

603.1. Policy The Archdiocese requires that employees and volunteers working and/or ministering in parishes, schools, and agencies comply with the safe environment protocols for the protection of children.

603.2. Policy A criminal background check shall be completed for all employees, and/or for all volunteers who work with children, prior to beginning service in the Archdiocese.

Procedures

- d) Specific categories of employees, as defined by Illinois State law, shall submit to digital fingerprinting prior to beginning work in the archdiocese.⁴
- e) Employment in the Archdiocese is contingent upon completing an online background check with favorable results.
- f) Acceptance as a volunteer who works with children⁵ is contingent upon completing with favorable results an online background check.
- g) The Archdiocese re-runs background checks on a periodic basis.
- h) A new background check shall be conducted if a cleric, employee, volunteer or clerical candidate has more than one-year gap in their employment, service or formation in the Archdiocese.

603.3. Policy All employees and all volunteers who work with children present shall attend the safe environment training program offered by the Archdiocese within sixty-days of their date of hire or acceptance as a volunteer.

Procedures

- i) Employees who have not completed safe environment training, currently Virtus/Protecting God’s Children for Adults, within sixty-days (60) will be suspended without pay for up to thirty-days (30).
- j) Employees who do not complete safe environment training within the thirty-day (30) suspension time period will be terminated.

⁴ Effective July 1, 2007 all new school employees must submit to digital fingerprinting.

- k) Volunteers who work with children present and who have not completed safe environment training within sixty-days (60) will be suspended from their volunteer service for up to thirty-days (30) days.
- l) Volunteers who work with children present and who do not complete safe environment training within the thirty-day (30) suspension time period will be terminated.

603.4. Policy All employees shall read the Code of Conduct and sign the Code of Conduct Acknowledgement Form at the time they are hired. All volunteers who work with children and vulnerable adults⁶ shall read the Code of Conduct and sign the Code of Conduct Acknowledgement Form when they are accepted for a volunteer position.

Procedure

- m) Signed copies of the Code of Conduct Acknowledgement Form shall be kept in the employee's or volunteer's personnel file at their site of employment or service.

603.5. Policy All employees and volunteers who work with children and vulnerable adults shall complete the CANTS (Child Abuse and Neglect Tracking System) background check form at the time of hire and/or acceptance for a volunteer position.

Procedures

- a) The parish, school, or agency collects the CANTS forms, makes a copy of the completed form, and then mails the completed forms directly to the Department of Children and Family Services in Springfield, Illinois.
- b) The processed CANTS forms are then mailed directly by the State of Illinois to the Office for the Protection of Children and Youth.
- c) Any person working/volunteering with children who has an indicated case of abuse and neglect by DCFS may be terminated.

603.6. Policy All employees who work with children and all volunteers who work with children shall complete Mandated Reporter Training.

603.7. Policy Employees and volunteers shall meet the ongoing safe environment education requirements of the Archdiocese and attend programs as required by the Archdiocese.

603.8. Policy The Archdiocese requires that employees and volunteers working with or ministering to vulnerable adults shall comply with the background check and Code of Conduct requirements. These ministries include, but are not limited to, nursing homes, in-home visits with the elderly, and hospital ministry.

§604 SUPERVISORY TREATMENT

604.1. Policy All supervisors shall treat their employees with dignity and respect. Serious, continued or deliberate violations of this policy by any supervisor at any level shall be grounds for disciplinary action, including discharge as provided in §703.

Procedures

- a) Supervisors should be sensitive not to:
 - 1) publicly reprimand or criticize subordinate employees;
 - 2) make unreasonable demands which cannot humanly be met;
 - 3) retaliate against any subordinate employees who exercise their rights to file work related claims with a government agency, file claims for worker's compensation or relate grievances to the personnel department or to higher levels of management;
 - 4) communicate in ways that can be construed as haranguing or harassment.
- b) Supervisors are expected to listen with courtesy and empathy to the concerns of their employees, and provide adequate opportunity for employees to seek counsel or advice in connection with their work.
- c) Supervisors are expected to clearly communicate their expectations for their employees, and the responsibilities for which the employees will be held accountable.
- d) Supervisors are expected to cooperate with and assist employees who seek to clarify responsibilities, expectations or instructions by asking questions, or by submitting a written summary of such instructions for the supervisor's confirmation and approval.
- e) Supervisors are expected to allow employees to give, without undue interruption, their side of any dispute regarding their work.
- f) Whenever necessary, correction or reprimand of an employee is to be administered privately and confidentially. Direction and criticism are to be given respectfully and courteously, without belittling or demeaning the employee.

§605 STANDARDS OF CONDUCT

In any organization, there are rules and responsibilities which contribute to a harmonious work environment for all staff. Cooperation with these rules and responsibilities is the responsibility of all Archdiocesan personnel because we should be held to a higher standard of fair treatment and the potential for scandal and embarrassment is greater than with many other employers.

605.1. Policy It is the responsibility of every member of the staff to act in an honest and forthright manner in all workplace concerns; treat co-workers, supervisors, volunteers, parishioners, and visitors with respect; and conduct oneself in a moral and ethical manner consistent with Catholic principles.

Procedures

- a) Ministerial personnel must teach and/or act in accordance with the doctrine and moral teaching of the Catholic Church.
- b) Some of the actions which violate this policy on standards of conduct include but are not limited to:
 - 1) Falsification of employee or institutional records;
 - 2) Unauthorized possession of co-workers, parish, school or Archdiocesan property;
 - 3) Immoral or unethical conduct when such conduct has an adverse impact on the Church;
 - 4) Insubordination;
 - 5) Possession of unauthorized weapons on premises;
 - 6) Misappropriation of funds or other assets of the Archdiocese, parish, school or agency.

§606 CONFIDENTIALITY

606.1. Policy Employees are not to disclose without proper authorization, or outside the normal execution of their job responsibilities, any confidential matters which come to their attention as a result of their employment with the Archdiocese of Chicago. Disclosure to anyone of such information without proper authorization, or outside the normal context of one's job, may be cause for disciplinary action, including discharge as provided in §703.

Procedures

Confidential information includes, but is not limited to the following:

- a) correspondence and contributions,
- b) personnel and payroll matters,
- c) relationships between business and benefactors.

§607 CONFLICT OF INTEREST

607.1. Policy Personnel shall avoid situations that present actual, perceived, or potential conflict between their interest and the interest of the Archdiocese.

Procedures

- a) The implementation of this policy implies a continuing requirement that all personnel make prompt disclosure to their supervisor or other appropriate official of any fact or circumstance that may involve a conflict of interest.
- b) Disclosure can assist staff in resolving honest doubts as to the propriety of a particular relationship or course of conduct.
- c) Any activities that create the appearance of a conflict of interest should be avoided.

§608 GIFTS AND ENTERTAINMENT

Receipt of gifts and entertainment may present potential or perceived conflicts of interest.

608.1. Policy While business courtesies are to be encouraged, employees shall not accept from anyone with whom the Archdiocese does, or is seeking to do, business any personal gifts, services, travel or entertainment that may reasonably be perceived by others to affect their judgment or actions in the performance of their duties.

608.2. Policy Personal gifts of cash shall not be accepted from anyone with whom the Archdiocese does or is seeking to do business.

§609 SOLICITATION OF FUNDS AND FUNDRAISING

§609.1. Active Solicitation of Funds

609.1. Policy Active solicitation of funds by employees during work hours shall be strongly discouraged. Supervisors shall not solicit subordinate employees for funds under any circumstances.

Procedures

- a) Employees may actively solicit funds before and after work, during lunch hour and break time. Active solicitation is subject to the approval of the supervisor.
- b) Those fundraising efforts which are sanctioned by the parish, Archdiocese or agency may occur at appropriate times including during working hours, subject to the supervisor's approval and discretion. Sanctioned fundraising includes, but is not limited to, the Cardinal's Appeal, United Way and any local fundraising initiative (e.g. parish raffle).

§609.2. Passive Fundraising

609.2. Policy Passive fundraising, such as placement of notices of fundraising efforts on bulletin boards, shall be allowed at any time, including during work time.

§610 SMOKING

610.1. Policy To assure and provide a healthier work environment, and in order to be in compliance with state and local ordinances, smoking shall be allowed only in designated areas, or may not be allowed on the premises at all.

(Cf. OCS Personnel Policies, Title II, Chapter I)

§611 ALCOHOL AND OTHER DRUGS

611.1. Policy Being under the influence of illegal substances, alcohol or other intoxicants while on the job is strictly prohibited. Violation of this policy may result in immediate suspension and possible dismissal as provided in §703. When an individual's job performance is negatively affected as a result of suspected substance abuse, the parish, school or agency is responsible for intervention.

(Cf. OCS Personnel Policies, Title II, Chapter I)

Procedures:

- a) The Archdiocese recognizes that alcohol and/or drug dependency is an illness requiring appropriate intervention and treatment. Employees with such dependency are, therefore, encouraged to seek treatment before a problem interferes with the performance of their job.
- b) When an employee comes forward or is suspected of this type of dependency, a pastoral approach ordinarily shall be used, i.e.

conferences and treatment shall have priority consistent with the needs of the parish, school or agency.

- c) A pastoral approach to alcohol and/or other drug dependency includes, but is not limited to:
 - 1) Evaluation by substance abuse professionals, as requested by the parish, school or agency.
 - 2) Application of Sick Leave Policy
- d) Employment status will be determined at the local level. Where appropriate, suspension of the employee may occur pending the outcomes of evaluation and treatment.
- e) Ordinarily, when reasonable pastoral and other measures have been taken without rehabilitation and the good of the parish, school or agency is in jeopardy, disciplinary/dismissal procedures may be initiated.

611.2. Policy The possession and/or sale of an illegal substance during working hours, or on the employer's premises, may result in immediate suspension and possible dismissal as provided in §703.

611.3. Policy The consuming of alcoholic beverages during working hours shall be prohibited.

Procedures

During celebrations or special events on rare occasions, a pastor, parochial administrator, agency director or principal may approve the use of alcoholic beverages.

§612 PERSONAL PROPERTY

612.1. Policy To ensure that personal property is returned to the employee in the event that the employee terminates or transfers, the employee shall provide a list of personal property to his/her immediate supervisor at the time the property is brought to the workplace. The employee shall update his/her personal property list as necessary.

§613 COPYRIGHT

§613.1. Material Belonging to the Archdiocese of Chicago

613.1.1. Policy All materials created, designed or modified by Archdiocesan personnel in the course of, or in connection with, their employment shall be the property of the Archdiocese of Chicago.

Procedures

- a) Materials created, designed or modified by Archdiocesan personnel at the direction of a supervisor and during work hours are Archdiocesan property.
- b) Personal creations used in connection with work, but not directed by the employer, should be discussed with the supervisor to decide who will own such property. A written agreement should evidence whether the employee or employer owns the material.

613.1.2. Policy “Materials” shall include, but shall not be limited to: written works, presentations, computer programs, manuals, instructions, advertisements, bulletins, magazines, books, newsletters and newspapers.

§613.2. Computer Software

The Archdiocese of Chicago recognizes that although computer software is a new medium of intellectual property, its protection is grounded in the long-established copyright rules of the United States and therefore it is illegal to use software on more than one computer or to make or distribute copies of that software for any other purpose unless specific permission has been obtained from the copyright owner. The parish, school or agency purchases or licenses the use of copies of computer software from a variety of outside companies. The Archdiocese does not own the copyright to this software or its related documentation.

The Archdiocese recognizes that by protecting the investment of companies who develop computer software, we also protect the interests of the Archdiocese, and our employees. When software developers gain fair returns on their software development costs, they are able to produce new and even better products for us, the consumer. In addition to fulfilling legal requirements, there is great value in purchasing legal copies of computer software and documentation since these legal copies entitle the user to software upgrades, technical assistance, training manuals, and tutorials. (Software Use and the Law, Software Publishers Association)

613.2.1. Policy The Archdiocese of Chicago employees shall use computer software only in accordance with the license agreement.

Procedures

- a) The operating systems, such as MS-DOS and IBM-DOS, are also protected by the US Copyright laws. Employees may not copy operating systems to more than one computer or server without permission from the copyright owner.
- b) Since computer software is not sold but “licensed” to a user, the Archdiocese may not “sell” software with a computer which the Archdiocese may be disposing.
- c) If the Archdiocese disposes of an old computer, the hard drive should be re-formatted to remove all software before ownership of the hardware is transferred to the new owner. The new owner should sign a bill of sale stating that the computer is sold “as is” without software. The serial numbers of the computer and monitor should also be included on the bill of sale.

Note

According to the current US Copyright Law, illegal reproduction of software may result in civil damages of as much as \$100,000 per work copied, and criminal penalties, including fines and imprisonment of up to five years.

§614 APPEARANCE

614.1. Policy The clothes an employee wears are a matter of personal preference, but the clothes shall be reasonably proper for the duties the employee performs and the environment in which an employee works.

Procedures

Specific criteria may be established at the local level.

§700 EMPLOYMENT ISSUES

§701 PERFORMANCE REVIEW

701.1. Policy The performance of each employee shall be formally reviewed at least once per year based upon job related criteria.

(Cf. OCS Personnel Policies, Title II, Chapter I and OFC Personnel Policies, Title II, Chapter II)

Procedure

- a) “Job related criteria” include the written job description as well as mutually agreed upon standards of performance or goals to be accomplished during the performance review period.
- b) The annual performance review is part of an on-going process of performance management which presumes on-going communication between the employee and the supervisor regarding job performance.
- c) The annual performance review process includes self-assessment, supervisory assessment, and, where applicable, takes into consideration feedback from those served by the work of the employee in order to determine a plan for continued excellence or growth in performance.
- d) General instructions and model instruments for use in the annual performance review are located in the Compensation Guidelines. Additional resources are available through the Office of Ministerial Evaluation.
- e) Certain ministries have specific procedures for reviewing personnel.
- f) Formal performance reviews will be part of the personnel file.

§702 TRANSFERS AND PROMOTIONS

702.1. Policy The Archdiocese of Chicago shall consider the transfer or promotion of qualified staff members to fill vacancies and newly created positions whenever possible.

702.2. Policy Any employee who has been in his/her current position for a minimum of six months shall be eligible to apply for a transfer or promotion to an open position.

[Cf. OCS Personnel Policies, Title II, Chapter I]

Procedures

Ordinarily, employees shall be notified of open positions through a local job posting.

§703 DISCIPLINE AND TERMINATION

703.1. Policy The Archdiocese of Chicago shall be an at will employer.

Procedures

“At will” means that while involuntary terminations will generally proceed as described in 703.2, the Archdiocese may exercise its legal right to terminate an employee with or without cause, and with or without prior notice, where such termination does not violate the employee’s rights under applicable state or federal employment laws. Regardless of whether or not the Archdiocese will ever need to exercise this right, it is important that the Archdiocese reserve it as a means of dealing with situations that must be resolved quickly, but do not seem to fit the usual process.

703.2. Policy Generally, discipline problems shall be handled through any of the following procedures, including verbal warnings, written warnings, disciplinary memos, suspension and possibly termination. Each case shall be handled on its own merits based on the severity of the situation.

Procedures

- a) In most cases, a clearly worded written warning with steps for remediation should precede a suspension or discharge, and sometimes more than one written warning may be appropriate. However, other cases may require more immediate action and if necessary, may result in suspension or discharge without prior warning.
- b) Copies of forms, memos and other documentation of discipline are to be issued to the employee and placed in his/her personnel file.
- c) The employee will have the right to respond, in writing, to any written complaints.

703.3. Policy Ordinarily, prior to suspension or discharge, the Pastor, Parochial Administrator, Agency Director or Principal shall consult with the Office of Employee Services, the Office of Legal Services, or the Director of Personnel Services.

(Cf. OCS Personnel Policies, Title II, Chapter I and OFC Personnel Policies, Title II, Chapter II)

§704 TERMINATIONS (VOLUNTARY-INVOLUNTARY)

§704.1. Notice for Involuntary Terminations

704.1. Policy Involuntary terminations for reasons other than misconduct or layoffs, shall require the pastor, principal or agency director to either give the employee two weeks prior notice or two-weeks pay in lieu of notice. The local administrator shall decide whether to give notice or pay.

(Cf. OCS Personnel Policies, Title II, Chapter I)

§704.2. Termination of Employment for Medical Reasons

704.2.1. Policy Active employees who are certified by their physician to be no longer able to work due to poor health shall be considered terminated employees as of the date directed by the physician.

704.2.2. Policy Employees who terminate employment as described in Policy 704.2.1. will not be eligible for Family or Medical Leave.

704.2.3. Policy Employees who terminate employment as described in Policy 704.2.1. will have included in their final pay, payment for all unused sick days they had accrued as of the date of their termination.

§704.3. Exit Interview

704.3.1. Policy Whenever an employee terminates voluntarily, Pastor, Parochial Administrator, Agency Director, Principal, or his/her delegate, shall conduct an exit interview.

Procedures

An exit interview should cover, at a minimum, the following:

- a) The satisfactions or dissatisfactions the employee experienced in his/her position
- b) The employee's next employer for purposes of unemployment compensation
- c) Any compensation or benefit issues that may apply to the employee

§704.4. Unemployment Compensation

704.4. *Policy* The Archdiocese, though not required by law, participates in Illinois' Unemployment Compensation program on a reimbursing, rather than taxable basis.

(Cf. OCS Personnel Policies, Title II, Chapter I)

Procedures

- a) Local administrators must complete a separation report for each terminated lay and religious employee and send it to the unemployment compensation consultants.
- b) Wages for all religious and lay employees must be included on the quarterly wage reports (UC-3) submitted to the State of Illinois Department of Employment Security, therefore making them eligible for unemployment benefits.
- c) The State of Illinois determines eligibility, not the Archdiocese. Ordinarily, misconduct and voluntary resignations disqualify the employee for unemployment compensation.
- d) Under the reimbursing basis, the expense of unemployment compensation is borne by the parish, school or agency.

§704.5. Accrued and Remaining Vacation

704.5. *Policy* Terminating employees shall be paid for any unused vacation days from the current fiscal year, and for vacation days accrued for the next fiscal year.

Procedures

Employees who are granted vacation during their first year of employment, without a waiting period, do not accrue vacation, and therefore do not receive vacation days upon termination. Contractual employees for whom

vacation benefits were granted without a waiting period will be eligible only for unused days at time of termination.

§704.6. Extended Health Coverage

COBRA is the acronym for the Consolidate Omnibus Budget Reconciliation Act. It is the federal legislation that requires employers to provide extended health coverage for terminating employees and their covered dependents. It is one of the very few employment regulations to exclude church benefit plans from its provisions. While not required to do so under federal regulations, the Archdiocese of Chicago offers an extended health care program in accordance with state regulations.

704.6.1. Policy The following shall be eligible to participate in the extended health coverage program provided by the Archdiocese of Chicago:

- (1) an employee terminating for any reason (except retirement at age 65 or older);
- (2) an employee who is transferred from benefits eligible to non-benefits eligible status, whether voluntarily or involuntarily;
- (3) surviving spouse and/or children who were covered as dependents at the time of the employee's death;
- (4) a divorced spouse who was a covered dependent at the time of his/her divorce from the employee;
- (5) a dependent child who reaches age 23, and had been carried as a covered dependent under an employee's coverage up to the date of his/her 23rd birthday;
- (6) any employee or covered dependent who otherwise ceases to be eligible for coverage, for any reason.

The aforementioned individuals shall have the opportunity to choose from one of the following options:

- A) extend medical coverage under the group plan, at one's own expense, for up to nine months or when one becomes eligible for other group health coverage (including Medicare), whichever comes first, OR
- B) drop the insurance at the end of the month in which the termination, death, or divorce takes place, OR
- C) convert to a private policy with the appropriate HMO provider if enrolled in an HMO at the time of termination.

If an employee has individual coverage at the time of termination, he/she shall not add family coverage during the extended coverage period.

Procedures

Terminating employees, surviving spouses or children, or divorced spouses who choose option (A) will also have the opportunity to exercise option (C) when their extended coverage period expires, if coverage had been provided through an HMO.

§704.7. Staff Reductions or Closings

704.7. Policy Along with severance benefits, when applicable, employees who are terminated as a result of a staff reduction shall be offered benefits as outlined in the *Outline of Compensation and Benefits for Lay and Religious Employees Affected by Closings, Consolidations or Staff Reductions*. (Available at the Office of Employee Services)

§704.8. Severance

§704.8.1. Eligibility

704.8.1.1. Policy All non-contractual full-time and benefits eligible Part-Time employees of the Archdiocese who have at least 1 full year of service, and whose positions have been eliminated, or whose positions have been reduced from full-time to part-time status, shall be eligible for severance benefits.

704.8.1.2. Policy Employees who are terminated on the basis of misconduct or poor performance, and those who voluntarily resign their positions or leave by mutual agreement, shall be expressly ineligible for severance benefits.

704.8.1.3. Policy Employees covered under a collective bargaining agreement shall be eligible for severance compensation only as provided for in their union contract.

§704.8.2 Severance Benefits

704.8.2. Policy Eligible employees shall receive the greater of 2 weeks compensation or 1 week for every full year of service, up to a maximum of 12 weeks compensation, to be paid out in a lump sum.

§704.9. References

704.9.1. Policy When a supervisor is contacted for a recommendation, from a non-Archdiocesan entity, he/she shall only confirm dates of employment, job title and verify job responsibilities. Salary information may be given only with written permission of the former employee.

§705 SHARED EMPLOYEE

705.1. Policy No employee shall be permitted to hold more than one full-time position with any entity or group of entities with the Archdiocese.

Procedures

- a) Where an individual is employed on a part-time basis at more than one location within the Archdiocese, one location is to assume responsibility for administration and reporting of payroll and any applicable benefits for that individual (usually the location at which the individual works the most hours on a regular basis.) The other locations will be responsible for reporting attendance and salary data to the primary location, on a pro rata basis, for salary, benefits, FICA and other related expense.
- b) Both parishes must be notified and approve of the arrangement.

§706 OUTSIDE EMPLOYMENT

706.1. Policy Archdiocesan employees may have other employment outside the Archdiocese only to the extent that such outside employment does not create a conflict of interest.

Procedures

- a) Outside employment includes consulting work and other self-employment situations.
- b) A conflict of interest occurs when additional employment unduly influences decisions made as an employee or conflicts with performance of his/her duties.

§707 CONFLICT MANAGEMENT

707.1. Policy The following procedures shall be used to resolve misunderstandings and differences of opinion between Archdiocesan personnel.

[Cf. OCS Personnel Policies, Title II, Chapter I]

Procedures

Step I) The conflicting parties meet to seek resolution through one or more meetings, as is necessary or desired. If resolved, the process ends here.

Step II) If a resolution is not achieved in Step I, the conflicting parties should meet with their mutual supervisor, or in a case where there is no mutual supervisor, with their respective supervisors. The supervisor(s) should assist the disputing parties in their efforts to resolve the conflict.

Step III) The disputing parties may request assistance from other Archdiocesan departments and agencies, such as the Office of Conciliation, the Department of Personnel Services, the Office of Employee Services, the Office of Catholic Schools or the Office for Religious Education.

§708 PERSONNEL RECORDS

§708.1. Contents

708.1. Policy Parishes, parish schools, and Archdiocesan high schools shall keep personnel files on site in a confidential manner. Agencies and other Departments of the Archdiocese shall keep personnel files in the Office of Employee Services.

Procedures

Personnel records shall contain the following:

- a) Application and Resume
- b) Employment Verification
- c) Verification of Academic Credentials (where appropriate)
- d) Job Description
- e) Contract (where appropriate)
- f) Performance Appraisals

- g) Disciplinary Memos
- h) I-9 Forms (Employment Eligibility Verification Form)
- i) State and Federal W-4 Forms
- j) Cafeteria Plan Election Form (all F/T & benefit-eligible P/T)
- k) Letters of Commendation
- l) Notice of changes of name, address, telephone, etc.
- m) Documentation of continuing education and development
- n) Documentation of use of professional growth allowance
- o) Letters of resignation
- p) Notification of Discharge
- q) Exit Interview (Obtain name of new employer)
- r) Compensation Documentation
- s) Any document/correspondence which affects an individual's employment status
- t) Emergency information

§708.2. Employee's Right of Review

708.2. Policy Employees shall have the right to inspect their personnel files.

Procedure

This policy shall not apply to information exempted by law, such as medical records and confidential employment references.

§708.3. Retention

708.3. Policy The Archdiocese of Chicago shall comply with federal and state record retention requirements.

Procedures

Retention schedules are available from the Archives and Records Department. "Retention schedules" are periods of time in which certain records must be kept.

[Cf. OCS Personnel Policies, Title II, Chapter I]

§800 ELECTRONIC COMMUNICATIONS

The Archdiocese of Chicago provides and uses many forms of communication and information technologies. These technologies, when properly used, support our business and pastoral activities and enable closer and timely communication within the Archdiocese and with our constituents. There is a continuing evolution of associated laws and conventions governing acceptable use and careless use of electronic communication tools that can have dramatic consequences, harming the Archdiocese, our constituents, and our employees. These policies are intended to minimize the likelihood of such harm by educating our staff and by acting as the basis for written policies and procedures whose existence will serve to protect the Archdiocese in litigation and other disputes. Access to Archdiocesan communications tools is provided in conjunction with the Archdiocese's business and staff job responsibilities. Staff use of these tools is subject to this policy and other Archdiocesan policies and procedures. This policy is binding for all Archdiocesan Staff. Archdiocesan communication tools also may be made available to individuals who are not Archdiocesan staff (e.g., consultants, vendors, committee members, temporaries, and volunteers). Use of these tools by such persons is subject to this policy.

§801 USE AND MISUSE OF COMMUNICATION TOOLS

DEFINITION:

“Communication tools” include, but are not limited to, E-mail, Internet, Computers, and Voicemail.

§801.1. OWNERSHIP AND ACCESS

801.1.1. Policy Communications tools purchased or provided by the Archdiocese for use in the performance of its business are Archdiocesan property and subject to reasonable inspection. All information created in the course of Archdiocesan business and/or produced or carried on Archdiocesan communications tools is likewise Archdiocesan property and subject to reasonable inspection.

801.1.2. Policy Each user accessing these tools must have a unique user ID assigned by the system administrator. Under no circumstances shall it be permissible to allow another person to use one's ID or password.

§801.2. ACCEPTABLE USE

In the course of their employment, staff may use these tools to communicate internally with Archdiocesan coworkers or externally with parishes, agencies, consultants, vendors, and other professional and business acquaintances. The Archdiocese provides staff with electronic communication tools to facilitate business communications and to enhance productivity.

801.2.1. Policy As with the telephone, there may be occasion to use these communication tools for personal purposes. Personal use is permitted so long as it does not interfere with the job performance, consume significant resources, give rise to more than nominal additional costs, or interfere with the activities of other staff members.

801.2.2. Policy Under no circumstances shall such communication tools be used for personal gain, or to solicit others for activities unrelated to the Archdiocese's business, or in connection with political campaigns or lobbying.

Procedures

- a) Human Resources may make available or otherwise authorize use for Archdiocesan-approved social events or other sanctioned activities.
- b) When making use of these Archdiocesan-provided facilities for personal use, staff should be mindful that there is a very limited expectation of privacy.

801.2.3. Policy Staff may not use any communication tool:

- (1) to carry defamatory, discriminatory, or obscene material;
- (2) to infringe upon another person's intellectual property rights (e.g. copyrights);
- (3) in a manner that violates the terms of any applicable telecommunication license or any laws governing transborder data flow (e.g., laws dealing with data collection, protection, privacy, confidentiality, and security); or
- (4) in connection with any attempt to penetrate computer or network security of any company or other system, or to gain unauthorized access (or attempted access) to any other person's computer, email or voicemail accounts or equipment: or in connection with the violation or attempted violation of any other law.

§801.3. INTERNET USE

The Archdiocese is aware that web “surfing” may be business-related and serve a legitimate business function, but the potential for abuse exists. The Internet provides access to a huge amount of information and resources that can greatly enhance our ability to deliver services to our constituents. Today there is no single, comprehensive directory of resources available for the Internet and users sometimes must “navigate” through much unneeded information to reach useful material.

801.3.1. Policy The Archdiocese encourages exploration of the Internet for legitimate business-related or professional activities, but staff shall not “browse the web” on Archdiocesan time, create personal “Home Pages”, or otherwise use Archdiocesan facilities to access Internet sites for reasons unrelated to Archdiocesan business and staff job responsibilities.

§801.4. REPRESENTING THE ARCHDIOCESE IN STAFF POSTINGS

Any information published electronically (sometime called a “Posting”) is a reflection on the Archdiocese of Chicago. Despite disclaimers that may be made (e.g., that views belong to a particular individual and may not reflect those of the Archdiocese) readers elsewhere may make the association between a posting and the Archdiocese of Chicago. Staff should be aware that true anonymity is very difficult to obtain when using these tools. While Internet relay chat (“IRC”), newsgroup visits, and net “surfing” sometimes appear to be done anonymously (e.g., by employing pseudonyms), accessing such services/servers through the Archdiocese’s network facilities normally leaves an “audit trail” indicating at least the identity of the Archdiocese’s proxy/server (and may leave an audit trail pointing directly to an individual). Inappropriate use of Archdiocesan facilities may damage the Archdiocese’s reputation and could give rise to corporate and individual liabilities.

801.4.1. Policy Staff shall make every effort to be professional in all usage of Archdiocesan communication tools and ensure that information is correct before posting any article or opinions.

801.4.2. Policy Staff shall use a disclaimer that the opinions offered are their own and do not necessarily reflect the opinions or position of the Archdiocese of Chicago.

§801.5. UNACCEPTABLE CONTENT

Although the Archdiocese does not regularly monitor voicemail or electronic messages, staff should be aware that even personal mail and voicemail messages may be viewed publicly or by Archdiocesan management without further notice.

801.5.1. Policy Under no circumstances shall any posting, voicemail or email originating at the Archdiocese be in violation of the teachings of the Catholic Church, the letter or spirit of the Archdiocese's Equal Employment Opportunity or Sexual Harassment policies, or the restrictions against 501(c)(3) tax exempt organizations (cf. *Political Responsibility: Proclaiming the Gospel of Life, Protecting the Least Among Us, and Pursuing the Common Good*, United States Catholic Conference, 1995.). Examples of unacceptable content include, but are not limited to:

- (1) sexually explicit messages, images, cartoon or jokes;
- (2) unwelcome propositions, requests for dates, love letters, profanity, obscenity, slander, or libel;
- (3) direct or indirect support for or opposition to any candidate for elective public office;
- (4) distribution of campaign literature or biased voter educational material;
- (5) publication or transmission of paid political advertising, biased coverage of candidate activity or opinions that endorse or oppose a particular candidate;
- (6) endorsements of candidates or political parties;
- (7) ethnic, religious, or racial slurs; or
- (8) any message that could be construed as harassment or disparagement of others based on their sex, race, sexual orientation, age, national origin, disability, or religious beliefs.

The standard used to determine whether or not "sexual harassment" has occurred is whether the recipient could reasonably consider the message to be offensive - - the sender's intentions are irrelevant.

§801.6. ELECTRONIC FORGERY

Electronic forgery is defined as misrepresentation of identity in any way while using electronic communication systems (e.g., by using another's email account without permission, or so-called IP spoofing, or by modifying another's messages without permission).

801.6.1. Policy Messages written by others shall be forwarded “as-is” and with no changes, except to the extent that staff clearly indicates where they have edited the original message (e.g., by using brackets [] or by using other characters to flag edited text).

§801.7. INTELLECTUAL PROPERTY

801.7.1. Policy Staff must always respect copyrights and trademarks of third parties and their ownership claims in images, text, video and audio material, software, information and intentions. Staff may not copy use, or transfer others' materials without appropriate authorization.

Procedure

Staff are responsible for being aware that download software and other copyrighted material may be subject to licensing obligations or restrictions. When staff are in doubt, they should contact the Office of Legal Services.

§801.8. ENCRYPTION

801.8.1. Policy Archdiocesan security standards and policies also govern the use of encryption tools. Only authorized encryption tools (software and hardware) may be used in connection with any Archdiocesan communication tools. Except with the prior written consent of the appropriate IT manager, all such tools must implement key-recovery or key-escrow techniques to permit the Archdiocese to access and recover all encrypted information (e.g., in the case of the absence of the staff member who performed the encryption).

§802 LIMITS OF PRIVACY

No electronic communications facility is completely secure. This means that information stored on or carried over Archdiocesan communications tools may be the subject of accidental or intentional interception, misdelivery, attack, or authorized Archdiocesan review. When stored on computers, email messages and other files typically are subject to routine back-up procedures. This means that copies of these files may be retained for long periods of time (in accordance with back-up recycling and document retention procedures). Also, keep in mind that many site-wide backup systems do not guarantee privacy of backup copies (e.g., system administrators may have access).

§802.1. RETENTION AND SECURITY OF MESSAGES

802.1.1. Policy Email and voicemail messages, and computer stored items are Archdiocesan property and business records, and may have legal and operational effect identical to that of traditional, hardcopy documents (for example, that are “discoverable” in litigation, and can be used in evidence). Retention of voice mail logs and email are governed by Archdiocesan Retention Schedules as outlined in the Archdiocesan Records Policy. Accordingly, all email messages shall be treated as though others may later view them. **Email should *not* be considered a confidential means of correspondence. Staff shall employ other methods of communication for documents that may contain confidential information.**

§802.2. LIMITED EXPECTATION OF PRIVACY

The Archdiocese of Chicago respects the personal privacy of its staff. However, because communications tools are provided for *the Archdiocese’s business purposes, staff rights of privacy in this context are quite limited. Staff and other should have no expectation that any information transmitted over Archdiocesan facilities or stored on Archdiocesan-owned or leased computers is or will remain private. These systems are owned and/or controlled by the Archdiocese of Chicago and are accessible at all times by the Archdiocese for maintenance, upgrades, or any other business or legal purpose. Staff members who use Archdiocesan communication tools should be aware that our firewall (and other security tools) creates an audit log detailing every request for access in either direction by each user. Also, in the course of their duties, system operators and managers may monitor employee use of the internet or review the contents of stored or transmitted data.*

802.2.1. Policy The Archdiocese of Chicago permits limited personal use of all these communications tools on the express understanding that it reserves the right (for its business purposes or as may be required by law) to review staff use, and to inspect all material created by or stored on, these communication tools. Use of these tools constitutes the employee's permission for the Archdiocese to monitor communications and to access files that are made on or with these communication tools.

802.3. ARCHDIOCESAN ACCESS TO COMPUTERS, VOICEMAIL AND EMAIL SYSTEMS

802.3.1. Policy Archdiocesan management will not routinely examine staff communications or files. However, such examination generally may be expected to occur in the following circumstances (which are not intended to be all-inclusive):

- (1) ensuring that Archdiocesan systems are not being used to transmit discriminatory or offensive messages, or in connection with the infringement or violation of any other person's rights;
- (2) determining the presence of illegal material or unlicensed software;
- (3) counteracting theft or espionage;
- (4) ensuring that communications tools are not being used for inappropriate purposes;
- (5) responding to legal proceedings that for producing electronically-stored evidence;
- (6) locating, accessing, and retrieving information in an employee's absence; and
- (7) investigating indications of impropriety.

§803 PENALITIES

803.1. Policy Violations of these policies can result in responses ranging from denial of future access to termination of employment.

§900 USE OF IMAGE OR LIKENESS

The Church by its very nature is a public institution: “The one mediator, Christ, established and ever sustains here on earth His holy Church, the community of faith, hope and charity, as a visible organization, through which He communicates truth and grace to all” (Vatican Council II, Dogmatic Constitution on the Church, Lumen Gentium, #8). As such, the assembly gathers in public places for worship, education, meetings, social events, etc. At times the Archdiocese may choose to photograph, videotape, film or broadcast such gatherings for educational or promotional purposes. While the Archdiocese intends to inform those who may be photographed, videotaped, filmed, or broadcast, this may not always be possible. The Archdiocese appreciates the cooperation of those whose image may be included at these gatherings, but respects the wishes of those who prefer that their likeness not be used. A staff person may decline such use in accord with the following policy.

§901 USE OF EMPLOYEE IMAGE OR LIKENESS

901.1. Policy The Archdiocese reserves the right to photograph, film, video tape, or broadcast the image or likeness of its staff in the performance of their assigned duties. “Staff” is defined as full or part-time employees, clergy, and religious men and women in the employ of an institution, parish, school or agency of the Archdiocese.

901.2. Policy The Archdiocese reserves the right to use any such photograph, film, or video tape in any form in any medium for advertising and/or promotion of the Archdiocese of Chicago without limitation.

901.3. Policy In the event that any staff person does not wish to be photographed, filmed, broadcast, or video taped, such staff person shall notify his or her supervisor of this decision in writing or, absent sufficient notice to put this decision in writing, as soon as possible before the scheduled photographing, filming, or video taping.

901.4. Policy It is not necessary for a staff person to indicate the reason he or she does not wish to be filmed, photographed, broadcast or video taped, and such employee’s decision shall not have an adverse impact on his or her employment.

BOOK II THE PEOPLE OF GOD

PART I CHURCH PERSONNEL

TITLE II PARTICULAR PERSONNEL POLICIES

CHAPTER I OFFICE OF CATHOLIC EDUCATION PERSONNEL POLICIES

ELEMENTARY SCHOOLS

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§100 ADMINISTRATION

Both the parish and the Archdiocese have a responsibility for selecting and evaluating principals of Archdiocesan schools. The Archbishop has the responsibility under Canon law for exercising vigilance over the schools in his diocese. By Canon law, the parish is a juridical person and the pastor acts in the name and as its representative. The following policies regarding principal contracts reflect the reality that we are one Archdiocese and no one ministers alone.

§110 PROFESSIONAL QUALIFICATIONS OF PRINCIPALS

110.1. Policy The principal must be a practicing Catholic who evidences knowledge and understanding of the Catholic faith. The principal must hold a masters degree in school supervision and/or administration.

Procedures

- a) The principal shall give active witness to the Catholic Tradition including post Vatican II teaching.
- b) The principal shall have or be working toward certification as Coordinator of Religious Education as stipulated by the Office of Catholic Schools.
- c) The principal shall have a minimum of three years of professional experience in a Catholic school, e.g., teacher, administrator, counselor.

§111 RESPONSIBILITIES OF THE PRINCIPAL

111.1. Policy The principal is the administrator, faith and instructional leader of the local school and executive officer of the local school advisory board.

§112 SELECTION OF THE PRINCIPAL

112.1. Policy The process outlined by the Office of Catholic Schools shall be followed in the interviewing, selecting, and hiring of the school principal.

Procedures

The Principal Selection Process document outlines the process to be followed by new and transfer principal applicants as well as by the pastor and the local school advisory board.

112.2. Policy All new and transfer principals, religious or lay, must have prior approval of the Archdiocesan Office of Catholic Schools before applying for the position of principal in a local school.

Procedure

The process for the approval of a new or transfer principal applicant is outlined in the Principal Selection Process document.

112.3. Policy The pastor, after receiving a recommendation from the local school advisory board, shall present his preference for principal to the Superintendent, following *Policy § 113 Principal Contract*.

§113 PRINCIPAL CONTRACT

113.1. Policy The principal contract shall be signed by the principal, the pastor and the Superintendent of Schools. The Contract shall not be valid until it has been signed by all three persons.

Procedures

- a) A one year contract shall be given to a principal who is new to a school.
- b) After the pastor and principal sign the contract, it shall be forwarded to the Superintendent of Schools for approval. Copies of the signed contract shall be sent to the pastor and principal by the Superintendent.
- c) A contract with a term of up to three years may be given to a principal who has been employed in the school for at least one year and who has had a positive written evaluation.

113.2. Policy The principal shall be evaluated in writing each year by the pastor and the Office of Catholic Schools by January 31st. The Superintendent of Schools, or the Superintendent's delegate, shall be provided with a copy of the completed evaluation by February 15th.

Procedure

The principal evaluation process of the Office of Catholic Schools shall be followed.

113.3. Policy A principal contract shall not be terminated or non-renewed without the consent and approval of both the pastor and the superintendent of schools.

Procedures

- a) In determining contract renewal, the Archdiocesan principal contract renewal process shall be followed. The decision to renew or not renew shall be communicated to the principal no later the March 1.
- b) In the event that there is a need for a delay in the timeline, the principal shall be notified in writing by the pastor or superintendent of Catholic schools.

§114 DISCIPLINE/DISMISSAL OF PRINCIPAL WITHIN TERM OF CONTRACT

114.1. Policy If a principal violates Archdiocesan policies, or otherwise fails to perform designated responsibilities, ordinarily the principal shall be given written warning that performance must improve within a reasonable length of time.

In the event that the principal does not improve, the pastor/superintendent may impose a suspension, with or without pay. In appropriate circumstances dismissal of the principal may be warranted during the term of the contract with or without warning.

Written documentation of all steps of the process shall be maintained by the pastor/superintendent. Throughout the process the pastor shall consult with the Office of Catholic Schools.

Principal termination/non-renewal shall follow *Archdiocesan Personnel Policies, §700 Section, Book II.*

§115 CONFLICT MANAGEMENT

115.1. Policy Every school shall follow the Archdiocesan procedure for local conflict management.

Procedures

Step I) The conflicting parties meet to seek resolution through one or more meetings, as is necessary or desired. If resolved, the process ends here.

Step II) If a resolution is not achieved in Step I, the conflicting parties may meet in the presence of a mutually agreed upon neutral third party facilitator who assists the disputing parties in their efforts to resolve the conflict. In the case of a principal/pastor conflict, the dean could be asked to become involved.

Step III) If resolution is not achieved in Step II, the conflicting parties may enter into formal conciliation under the direction of the Archdiocesan Office of Conciliation. The Office of Catholic Schools Coordinator of School Personnel Services arranges the formal conciliation process for the conflicting parties.

§116 ASSISTANT PRINCIPAL

116.1. Policy Each school shall have an assistant principal, selected by the principal, who shall assume responsibility of the principal in the principal's absence.

Procedures

- a) The assistant principal shall be a certified teacher who is a practicing Catholic.
- b) Each principal selects the assistant principal who, where possible, will have no regularly scheduled teaching assignment.
- c) The principal shall determine specific tasks for the assistant principal and negotiate salary accordingly.
- d) The assistant principal shall sign an annual teacher contract form.

§152 COMMUNICABLE DISEASES

152.1. Policy Faculty, staff and students who have been diagnosed with a communicable disease are not necessarily excluded from school unless their illness poses a significant health risk to others or renders them unable to perform their jobs adequately or to pursue their studies.

152.2. Policy The principal is responsible for providing appropriate educational opportunities to faculty, staff and students to reduce the risk of contracting or transmitting communicable diseases at school or in school-sponsored activities.

152.3. Policy The principal is responsible for complying with laws that protect the health and safety of faculty, staff and students at school and at school sponsored activities.

152.4. Policy The school shall handle information regarding faculty, staff and students with suspected or confirmed communicable diseases in accordance with state and federal law regarding the confidentiality of health records, while at the same time complying with applicable public health reporting requirements.

§200 SCHOOL PERSONNEL

§201 RELIGIOUS STANDARDS

201.1. Policy All school personnel shall teach and act in accordance with Catholic doctrine and moral teachings.

201.2. Policy All school personnel shall teach and act in accordance with the philosophy and policies of the school and of the Archdiocese of Chicago.

201.3. Policy All school personnel shall cooperate in forming a Catholic educational community.

§210 PROFESSIONAL REQUIREMENTS OF TEACHERS

210.1. Policy All teachers newly employed by a school, full-time and/or part-time, are to be state certified as a teacher.

Procedure

- a) A written notification from the Office of Catholic Schools shall verify the credentials of the teacher applicant.
- b) Requests for exceptions to this policy must be made in a letter from the Principal to the Superintendent.

§211 CENTRAL OFFICE PERSONNEL FILES

211.1. Policy Each full or part-time Administrator/teacher must have a complete personnel file in the Archdiocesan Office of Catholic Schools before signing a contract for employment.

Procedures

- a. The Administrator/teacher must have a letter from the Archdiocesan Office of Catholic Schools indicating that this file has been completed. No contract shall be valid or binding until this letter has been received by the employer. This letter and other required documentation shall be included in the Administrator/teacher file at the local level.

Teacher file at Office of Catholic Schools

- b. Teacher Personnel Service of the Office of Catholic Schools shall maintain a complete professional file for each teacher. The file shall contain:
 - ✓ Data Base Form

- ✓ Transcripts
 - ✓ College Placement File
 - ✓ References
 - ✓ Resumé
 - ✓ Copy of standard state certification

 - ✓ If teacher terminates employment:
 - ◆ Termination of Employment Form
 - ◆ Annual formal written evaluations

 - ✓ If teacher transfers to another Archdiocesan school:
 - ◆ Data Base Form
- c. The teacher may review this file at any time. This review would exclude those items to which the teacher may have waived rights by written agreement, i.e., college placement file, references from previous teaching experience, etc. To arrange for this review, a written request should be sent to Teacher Personnel Service.
- d. This file is to be used only by persons involved in the Archdiocesan placement process. Unless required by a subpoena this file will not be released to a third party without prior written consent of the teacher.

§220 THEOLOGY / RELIGIOUS EDUCATION BACKGROUND

220.1. Policy The Administrator/teacher is expected to have or to be working to complete courses in Catholic theology/religious education as determined by the Office of Catholic Schools.

§221 CONTINUING RELIGIOUS FORMATION / DEVELOPMENT

221.1. Policy The Administrator/teacher is required to participate in days of Catholic religious education formation on an annual basis.

§230 SALARIES AND BENEFITS

230.1. Policy Salaries and benefits are determined annually by the Archdiocese.

Procedures

Salaries and benefits for administrators and teachers are announced early in the calendar year so they can be incorporated into the school budget for the following fiscal year.

230.2. Policy Paid vacation for school teachers/school support staff shall be given for full-time and benefits eligible part-time school employees.

Procedures

- a. Full-time and part-time benefits eligible teachers and school personnel are entitled to a paid vacation taken during the school year at Christmas and Spring breaks.
- b. Holidays indicated on a school calendar are paid days for benefits eligible personnel.
- c. Paid vacation and school holidays are a benefit beginning with the first year of service.
- d. School secretaries and maintenance personnel who work a daily schedule of 7 hours for 12 months follow §405 of the Archdiocesan General Personnel Policies regarding paid vacation. School Christmas and Spring breaks may be taken as part of the paid earned vacation or the person may work the holiday break and take vacation in the summer. Vacation time must be approved by the principal/pastor/supervisor. Paid holidays are those indicated on the local school calendar.
- e. School principals are twelve month employees and follow §405 of the Archdiocesan General Personnel Policies regarding vacation. The paid school breaks and holidays are a means of compensating the principal for overtime during the school year.
- f. Teacher Institute Days are not school holidays; however, support staff may negotiate vacation and/or personal time on such days.

§240 RECRUITMENT AND SELECTION OF TEACHERS

240.1. Policy The Principal is responsible for the screening, selection, and hiring of qualified teachers.

Procedures

- a. The Archdiocesan Teacher Personnel Service screens and verifies the professional background of prospective teachers. A written notification is sent to a candidate when the file is complete.
- b. Lists of eligible teachers available for full-time, part-time and substitute positions are sent to all schools on a regular basis.
- c. The selection of teachers remains the responsibility of the Principal.

240.2. Policy Preference in hiring shall be given to teachers who are Catholic and who evidence an understanding of the Catholic faith and a commitment to living that faith.

§241 BACKGROUND SCREENING

241.1. Policy Confirmation of employment and/or volunteer service agreement shall be contingent upon completion of positive background screening.

Procedures

- a. All persons employed by the Archdiocesan schools or who do volunteer work and have regular contact with children must complete Archdiocesan Application Form 7703 (Application for Employment or Volunteer Service). References must be checked, dated, and signed by the Principal or the person who has verified them. Form 7703 is part of each person's local personnel file.
- b. As required by federal law, new employees shall verify citizenship and eligibility for employment by completing and signing the I-9 Employment Eligibility Verification form of U.S. Department of Justice Immigration and Naturalization Service which then becomes part of the local personnel file.
- c. No employment contract or commitment shall be valid and binding until such screening has been completed.

§242 CONTRACTS

242.1. Policy All full and part-time teachers shall enter into an annual written contract with the school using the form provided by the Archdiocesan Office of Catholic Schools.

242.2. Policy Contracted teachers are expected to fulfill their contracts.

242.3. Policy A teacher who fails to complete a contract ordinarily shall be precluded from referral for employment in other Archdiocesan schools.

242.4. Policy The term of all teacher contracts shall be one year.

Procedures

- a. The school shall ordinarily notify the teacher of contract renewal or non-renewal no later than April 15 of the year preceding the next contract year. A teacher who has been offered renewal shall inform the Principal of the intent to renew no later than May 1 or fourteen (14) calendar days after the offer, whichever is later. Failure of the teacher to inform the Principal in writing by this date shall constitute a rejection of the contract offer. Any adjustment in this standard shall be the result of a collaborative decision of the Principal with the teacher. This agreement shall be in writing and signed by both parties.
- b. The Principal shall ensure that teachers fully understand the implications of the policy and that they are informed of their responsibilities in the contract process.
- c. All teachers receive their assignments from the Principal.
- d. Teacher responsibilities are outlined in the Archdiocesan contract.
- e. When the staff is being reduced as a result of enrollment decline,
 - a. reorganization within the school, reduction in the number of positions, curriculum changes, or for other reasons, Archdiocesan procedures shall be followed.
- f. Employed school personnel may not apply for summer unemployment compensation.

§243 LOCAL SCHOOL PERSONNEL FILE

243.1. Policy The Principal is responsible for maintaining a personnel file for each professional educator in the school.

Procedures

- a. Each local school file shall contain:
- ✓ Form I-9 - Employment Eligibility Verification Form
 - ✓ Form 7703 - Archdiocesan Application for Employment or Volunteer Service
 - ✓ Office of Catholic Schools completed credential file notification
 - ✓ Data Base Form
 - ✓ Copy of standard state certification
 - ✓ Copy of transcripts
 - ✓ Record of theology/religious education requirement
 - ✓ Contracts/Job Description
 - ✓ Formal evaluations
 - ✓ Professional growth record
 - ✓ Freedom from communicable disease report
 - ✓ Absence record
 - ✓ Annual Goals / Objectives
- b. When a teacher terminates or transfers to another Archdiocesan school, the Principal, upon receiving the signed Release of Records form from the teacher, releases the file to the new school.

243.2. Policy The Principal is responsible for maintaining a personnel file for the support staff in the school.

Procedures

- a. Each local school file shall contain:
- ✓ Form I-9 - Employment Eligibility Verification Form
 - ✓ Form 7703 - Archdiocesan Application for Employment or Volunteer Service
 - ✓ Job Description
 - ✓ Evaluation reports (when applicable)
 - ✓ Absence record (when applicable)
 - ✓ Freedom from communicable disease report
- b. Regular volunteers must also complete Form 7703, which will then be kept on file at the school.

§244 PROFESSIONAL GROWTH

244.1. Policy The school budget for professional growth shall include monies for individual professional growth and additional funds to cover faculty professional growth.

244.2. Policy The Administrator/teacher shall engage in programs of professional growth as a condition of employment.

Procedures

Progress in professional growth shall be reviewed during the annual evaluation process.

244.3. Policy The Principal/teacher is eligible for a designated amount of money to be used for professional growth.

Procedures

- a. The specific amount of money is determined annually by the Archdiocese.
- b. Reimbursement requires prior approval of the employer.
- c. Use of professional growth funds will reflect identified needs of the school.
- d. Unused monies are not transferable from one fiscal year to another nor from one educator to another.
- e. The cost of substitute teachers may not be subtracted from this benefit.
- f. The cost of group professional development may not be taken from the amount allocated to each professional educator.

244.4. Policy Documentation for the professional growth of the Administrator/teacher shall be current and remain in the local personnel file. This shall include theology/religious education inservice and all other professional growth.

Procedures

Professional growth entries shall include courses, workshops, seminars, institutes, conventions, and local staff development.

§245 PERSONNEL EVALUATION

245.1. Policy All school personnel shall be evaluated annually by the appropriate administrator.

Procedures

- a. Evaluation shall be based on a program of supervision which includes consultation, observation and documentation in accordance with the Archdiocesan Office of Catholic Schools process for evaluating school personnel.
- b. The appropriate administrator shall conduct an evaluation of non-teaching school personnel on an annual basis.

§250 SICK DAYS

250.1. Policy A full-time or benefits-eligible part-time employee is entitled to paid sick days each year for personal illness or incapacity not covered by Worker's Compensation or for any illness or incapacity of a member of the employee's immediate family.

Procedures

- a. A teacher is entitled to ten paid sick days each year. A Principal is entitled to twelve paid sick days each year.
- b. Sick days may be accumulated up to a maximum of 120 days.
- c. Accumulated sick days are not lost when an employee transfers from one school to another, provided there is no interruption of service.
- d. Sick days shall be granted to the employee as of the opening day of school each year. If hired after opening day, the employee shall be granted as many paid sick days as there are full months remaining in the school year.
- e. Sick days are not to be used as vacation days.
- f. Unused sick days shall not be compensated.
- g. Sick days shall be recorded on the Attendance Record Form provided by the Office of Catholic Schools.
- h. For absences other than those covered by policy, deductions shall be made from the employee's salary at a per diem rate.
- i. "Immediate family" is ordinarily defined as employee's children, parents, siblings, spouse, in-laws, grandparents, and individuals residing in the same household, whether related or not.

§251 PERSONAL DAYS

251.1. Policy A full-time or benefits-eligible part-time employee is entitled to paid personal days each year.

Procedures

- a. An employee is entitled to two paid personal days each year. These two days are part of the ten or twelve sick days.
- b. Unused personal days accumulate as unused sick days.
- c. The employee is not obliged to divulge the purpose of the personal day(s) as a condition for taking such days.
- d. Reasonable notice shall be given to the employer prior to the personal day(s).
- e. Personal days shall not be taken during the first or last week of the school year or prior to or immediately after a holiday.

§260 CORPORAL PUNISHMENT

260.1. Policy Corporal punishment of students is not permitted.

§261 DISCIPLINE/DISMISSAL OF SCHOOL EMPLOYEE

261.1. Policy A school employee who violates Archdiocesan policy, the contract, or performs unsatisfactorily, is subject to discipline and/or dismissal.

Procedures

- a. Ordinarily, the employee shall be given a written warning that performance must improve within a reasonable length of time.
- b. The employee is subject to disciplinary suspension, with or without pay, if the employee has failed to improve after adequate warning.
- c. For a serious reason, a principal may impose a suspension or dismissal without prior warning.
- d. Disciplinary situations and unsatisfactory performance of duties shall be documented on an ongoing basis.
- e. Any employee who uses corporal punishment shall be subject to disciplinary action.

261.2. Policy The possession and/or sale of an illegal substance either inside or outside the school may result in immediate suspension and possible dismissal.

Procedures

- a. When there has been an accusation or there is otherwise cause to believe that a school employee is engaged in the sale or possession of an illegal substance, the employer shall attempt to verify the facts.
- b. If there is reasonable suspicion of sale or possession, the employer shall:
 - ✓ consult with the Office of Catholic Schools;
 - ✓ continue careful documentation of the situation;
 - ✓ suspend the employee;
 - ✓ notify the police.

261.3. Policy Being under the influence of illegal substances, alcohol or other intoxicants while on the job is strictly prohibited. Violation of this policy may result in immediate suspension and possible dismissal. When an individual's job performance is negatively affected as a result of suspected substance abuse, the administration is responsible for intervention.

Procedure

- a. The Archdiocese recognizes that alcohol and/or drug dependency is an illness requiring appropriate intervention and treatment. Employees with such dependency are, therefore, encouraged to seek treatment before a problem interferes with the performance of their job.
- b. When a school employee comes forward or is suspected of this type of dependency, a pastoral approach ordinarily shall be used, i.e., conferences and treatment shall have priority consistent with the needs of the school.
- c. A pastoral approach to alcohol and/or other drug dependency includes, but is not limited to:
 - ✓ Upon request of the Administration, an evaluation shall be conducted by substance abuse professionals.
 - ✓ Proper application of Sick Leave Policy shall be determined.
 - ✓ Employment status shall be determined at the local level. Suspension of the employee may occur pending the outcomes of evaluation and treatment.
 - ✓ After reasonable pastoral and other measures have been taken without rehabilitation and the good of the school is in jeopardy, disciplinary/dismissal procedures may be initiated.

261.4. Policy A professional educator who has been dismissed during the term of the contract may request the conflict management process.

Cf. Policy / Procedure 115.1

§262 ALLEGATION/SUSPICION OF CHILD ABUSE/NEGLECT BY SCHOOL PERSONNEL

262.1. Policy The employer shall follow the Illinois Abused and Neglected Child Reporting Act and Archdiocesan procedures when an allegation and / or suspicion of child abuse is made against a school employee.

Procedure

- a.** When an allegation/suspicion of child abuse/neglect is made against a school employee and reported by school personnel, the school shall:
- ✓ call Illinois Department of Children and Family Services;
 - ✓ suspend the school employee, pending the outcome of the investigation;
 - ✓ notify Gallagher Bassett;
 - ✓ notify the School Consultant of the Office of Catholic Schools.
- b.** When an allegation of child abuse/neglect is made against a school employee and reported by someone other than school personnel, the school shall:
- ✓ cooperate with the investigation;
 - ✓ suspend the school employee, pending the outcome of the investigation;
 - ✓ notify Gallagher Bassett;
 - ✓ notify the School Consultant of the Office of Catholic Schools.

§263 SEXUAL HARASSMENT

263.1. Policy Sexual harassment by one employee of another, by an employee of a student, by a student of an employee, or by one student of another is unacceptable conduct. Employees or students who engage in any type of sexual harassment will be subject to appropriate discipline, including suspension, termination, or expulsion.

Procedures

- a.** Any person who feels that he or she has been a victim of sexual harassment shall bring the problem to the immediate attention of the principal.
- b.** The principal shall answer questions about this policy, engage in fact finding to determine the details regarding the complaints of sexual harassment, and take appropriate corrective action.
- c.** If the complainant is uncomfortable for any reason with discussing such matters with the principal, or if the complainant is not satisfied after bringing the matter to the attention of this individual, the complainant shall report the matter promptly to the pastor or the school consultant at the Office of Catholic Schools.
- d.** The school will determine the facts regarding all allegations of sexual harassment in as prompt and confidential a manner as possible and will take appropriate corrective action when warranted.

263.2. Policy Retaliation in any form against an employee or student who exercises his or her right to make a complaint under this policy is strictly prohibited, and will itself be cause for appropriate disciplinary action.

Procedures

Reporting sexual harassment will not reflect upon the individual's status, nor will it affect future employment, grades, or work assignments.

263.3. Policy Any employee or student who knowingly makes false charges against an employee or a student in an attempt to demean, harass, abuse, or embarrass that individual shall be subject to the sanctions for misconduct set forth above.

§270 TERMINATION OF EMPLOYMENT

270.1. Policy The Office of Catholic Schools procedures shall be followed when an employee terminates at a local school.

Procedures

- a. Termination is defined as cessation of the employment relationship by either party for any reason.
- b. Termination materials are provided by the Office of Catholic Schools.

§271 CONFLICT MANAGEMENT

271.1. Policy A professional educator who has been dismissed during the term of the contract may request the conflict management process.

cf. Policy/Procedure 115.1 Conflict Management

§280 TRANSFER OF PERSONNEL

280.1. Policy The Principal shall inform teachers of the transfer process of the Office of Catholic Schools and shall allow a reasonable period of time for employees to consider possible positions in other Archdiocesan schools.

§290 PART-TIME SCHOOL PERSONNEL

290.1. Policy Part-time school personnel employed on an annual basis for 26 or more hours per week shall be considered benefits-eligible part-time employees.

Procedure

- a. Part-time employees shall be paid a pro-rated amount of the regular salary based on their preparation and experience.
- b. The employee who performs part-time duties at more than one school for a total of 26 or more hours per week shall be considered a full-time employee for the purpose of salary and benefits. In such cases, the schools shall coordinate payment of these benefits.
- c. When a part-time teacher assumes a full-time teaching schedule, salary is determined by the Office of Catholic Schools.
- d. School personnel employed on an annual basis for 25 or less hours per week shall be considered part-time employees and not eligible for employee benefits.

§291 SUBSTITUTE TEACHERS

291.1. Policy When the regular teacher is absent, the Principal shall take whatever steps are necessary to assure the continuity of the instructional program.

Procedures

- a. Substitute teachers shall be compensated in the amount determined at the local level.
- b. A long-term substitute teacher (more than one month in the same classroom) shall be compensated according to the Archdiocesan Salary Schedule.

§292 CONTRACTED SERVICES PERSONNEL

292.1. Policy Contracts with any service agency shall be on file in the local school. Agency requirements as well as qualifications and information on each person working in the school shall be in the local school file. The Principal shall follow regular local school screening procedures for each agency employee.

BOOK II THE PEOPLE OF GOD

PART I CHURCH PERSONNEL

TITLE II PARTICULAR PERSONNEL POLICIES

CHAPTER I OFFICE OF CATHOLIC SCHOOLS PERSONNEL POLICIES

HIGH SCHOOLS

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§200 ADMINISTRATION

Both the Archdiocese and the parish have a responsibility for selecting and evaluating the chief administrator of Archdiocesan secondary schools. The Archbishop has the responsibility under Canon Law for exercising vigilance over the schools in his diocese. By Canon Law, the parish is a juridical person and the pastor acts in the name and as its representative. The Superintendent acts in a parallel manner for the secondary schools sponsored by the Archdiocese. The following policies regarding the contract of the chief administrator of the secondary school reflect the reality that we are one Archdiocese and no one ministers alone.

§201 ADMINISTRATION

201.1. Policy All new and transfer applicants for president and principal of a secondary school must be approved by the Archdiocesan Office of Catholic Schools before being offered the position of president and/or principal.

Procedures

- a. The administrative model for secondary schools may comprise a president and principal, whose duties are described in the *Handbook for Elementary and Secondary School Administrators*. In some schools, these positions are held by one person and in others, there is both a president and a principal.
- b. The Assistant Superintendent for Secondary Schools oversees the approval process for applicants for the positions of president and principal.
- c. The qualifications for the president and principal positions are delineated in the *Handbook for Elementary and Secondary School Administrators*.

201.2.1. Policy When a secondary school has one person who serves as both president and principal of the school, the contract for the employee shall be signed by the pastor, where applicable, and by the Superintendent of Schools.

201.2.2. Policy When a secondary school has both a president and a principal, the contracts for both administrators shall be signed by the employee, the pastor where applicable, and the Superintendent of Schools.

Procedures

- a) A one-year contract shall be given to a president or principal who is new to the school.
- b) In a parish secondary school, after the pastor and principal sign the contract, it shall be forwarded to the Superintendent of Schools for approval. Copies of the signed contract shall be sent to the pastor and principal by the Superintendent.
- c) A contract with a term of up to three years may be given to a president or principal who has been employed in the school for at least one year and who has had a positive written evaluation.

201.3. Policy The president and principal shall be evaluated in writing each year, according to procedures established by the Office of Catholic Schools.

201.4. Policy The president or principal contract shall not be terminated or non-renewed without consent and approval of the pastor, where applicable, and the Superintendent of Schools.

§202 DISCIPLINE/DISMISSAL OF PRESIDENT/PRINCIPAL WITHIN DURATION OF CONTRACT

202.1. Policy If a president/principal violates Archdiocesan policies or otherwise fails to perform designated responsibilities, ordinarily the president/principal shall be given written warning that performance must improve within a reasonable length of time.

In the event that the president/principal does not improve, the pastor/superintendent may impose a suspension, with or without pay. In appropriate circumstances dismissal of the president/principal may be warranted during the term of the contract with or without warning.

Written documentation of all steps of the process shall be maintained by the pastor/superintendent. Throughout the process the pastor shall consult with the Office of Catholic Schools.

Principal termination/non-renewal shall follow *Archdiocesan Personnel Policies, §700 section, Book II.*

§203 CONFLICT MANAGEMENT

203.1. Policy Every school shall follow the Archdiocesan procedure for local conflict management.

Procedures

Step I) The conflicting parties meet to seek resolution through one or more meetings, as is necessary or desired. If resolved, the process ends here.

Step II) If a resolution is not achieved in Step I, the conflicting parties may meet in the presence of a mutually agreed upon neutral third party facilitator who assists the disputing parties in their efforts to resolve the conflict. In the case of a principal/pastor conflict, the dean could be asked to become involved.

Step III) If resolution is not achieved in Step II, the conflicting parties may enter into formal conciliation under the direction of the Archdiocesan Office of Conciliation. The Office of Catholic Schools Coordinator of School Personnel Service arranges the formal conciliation process for the conflicting parties.

§208 COMMUNICABLE DISEASES

208.1. Policy Faculty, staff and students who have been diagnosed with a communicable disease are not necessarily excluded from school unless their illness poses a significant health risk to others or renders them unable to perform their jobs adequately or to pursue their studies.

208.2. Policy The administration is responsible for providing appropriate educational opportunities to faculty, staff and students to reduce the risk of contracting or transmitting communicable diseases at school or in school-sponsored activities.

208.3. Policy The administration is responsible for complying with laws that protect the health and safety of faculty, staff and students at school and at school sponsored activities.

208.4. Policy The school shall handle information regarding faculty, staff and students with suspected or confirmed communicable diseases in accordance with state and federal law regarding the confidentiality of health records, while at the same time complying with applicable public health reporting requirements.

§400 SCHOOL PERSONNEL

§401 RELIGIOUS STANDARDS

401.1. Policy All school personnel shall teach and act in accordance with Catholic doctrine and moral teachings.

401.2. Policy All school personnel shall teach and act in accordance with the philosophy and policies of the school and of the Archdiocese of Chicago.

401.3. Policy All school personnel shall cooperate in forming a Catholic educational community.

§402 RECRUITMENT AND SELECTION OF TEACHERS

402.1. Policy The principal is responsible for the screening, selection, and hiring of qualified teachers.

402.2. Policy Preference in hiring shall be given to teachers who are Catholic and who evidence an understanding of the Catholic faith and a commitment to living that faith.

§403 BACKGROUND SCREENING

403.1. Policy Confirmation of employment and / or volunteer service agreement shall be contingent upon completion of positive background screening.

Procedures

- a. All persons employed by the archdiocesan schools or who do volunteer work and have regular contact with children must complete Arch- diocesan Application Form 7703 (Application for Employment or Volunteer Service References must be checked, dated, and signed by the principal or the person who has verified them. Form 7703 is part of each person's local personnel file.

- b. As required by Federal law, new employees shall verify citizenship and eligibility for employment by completing and signing the Employment Eligibility Verification Form of the U.S. Department of Justice Immigration and Naturalization Service which then becomes part of the local personnel file.
- c. No employment contract or commitment shall be valid and binding until such screening has been completed.

§404 LOCAL SCHOOL PERSONNEL FILE

<p>404.1. Policy The principal is responsible for maintaining a personnel file for each professional educator in the school.</p>

Procedures

- a. Each local school file shall contain:
 - ✓ Form I-9 - Employment Eligibility Verification Form
 - ✓ Form 7703 - Archdiocesan Application for Employment or Volunteer Service
 - ✓ Database Form
 - ✓ Copy of standard state certification
 - ✓ Copy of transcripts
 - ✓ Record of theology / religious education requirement
 - ✓ Contracts / Job Description
 - ✓ Formal evaluations
 - ✓ Professional growth record
 - ✓ Freedom from communicable disease report
 - ✓ Absence record
 - ✓ Annual Goals / Objectives
- b. When a teacher terminates or transfers to another archdiocesan or parish high school, the principal, upon receiving the signed Release of Records Form from the teacher, releases the appropriate items to the new school.

404.2. Policy The principal is responsible for maintaining a personnel file for the support staff in the school.

Procedures

- a. Each local school file shall contain:
 - ✓ Form I-9 - Employment Eligibility Verification Form
 - ✓ Form 7703 - Archdiocesan Application for Employment or Volunteer Service
 - ✓ Job Description
 - ✓ Evaluation reports (when applicable)
 - ✓ Absence record (when applicable)
 - ✓ Freedom from communicable disease report

- b. Regular volunteers must also complete Form 7703, which will then be kept on file at the school.

§405 CONTRACTS

405.1. Policy All full and part-time teachers shall enter into an annual written contract with the school using the form provided by the Archdiocesan Office of Catholic Schools.

405.2. Policy Contracted teachers are expected to fulfill their contracts.

405.3. Policy A teacher who fails to complete a contract ordinarily shall be precluded from referral for employment in other Archdiocesan schools.

405.4. Policy The term of all teacher contracts shall be one year.

Procedures

- a. The school shall ordinarily notify the teacher of contract renewal or non-renewal no later than April 15 of the year preceding the next contract year. A teacher who has been offered renewal shall inform the principal of the intent to renew no later than May 1 or fourteen (14) days after the offer, whichever is later. Failure of the teacher to inform the principal in writing by this date shall constitute a rejection of the contract offer. Any adjustment in this standard shall be the

result of a collaborative decision of the principal with the staff. This agreement shall be in writing and signed by both parties.

- b. The principal shall ensure that teachers fully understand the implications of the policy and that they are informed of their responsibilities in the contract process.
- c. All teachers receive their assignments from the principal.
- d. Teacher responsibilities are outlined in the Archdiocesan contract.
- e. When the staff is being reduced as a result of enrollment decline, reorganization within the school, reduction in the number of positions, curriculum changes, or for other reasons, Archdiocesan procedures shall be followed.
- f. Employed school personnel may not apply for summer unemployment compensation.

§406 PROFESSIONAL REQUIREMENTS OF TEACHERS

406.1. Policy All teachers newly employed by a school, full-time or part-time, are to be state certified as a teacher.

Procedures

Exception to this policy shall satisfy the requirements of the North Central Association.

§407 THEOLOGY / RELIGIOUS EDUCATION BACKGROUND

407.1. Policy The principal / teacher is expected to have or to complete courses in Catholic theology/religious education as determined by the Office of Catholic Schools.

§408 CONTINUING RELIGIOUS FORMATION/DEVELOPMENT

408.1. Policy All principal/teacher is required to participate in days of Catholic religious formation on an annual basis.

§409 PROFESSIONAL GROWTH

409.1. Policy The school budget for professional growth shall include monies for individual professional growth and additional funds to cover faculty professional growth.

409.2. Policy Each principal / teacher shall engage in professional growth as a condition of employment.

Procedures

Progress in professional growth shall be reviewed during the annual evaluation process.

409.3. Policy Each principal / teacher is eligible for a designated amount of money to be used for professional growth.

Procedures

- a. The specific amount of money is determined annually by the Archdiocese.
- b. Reimbursement requires prior approval of the employer.
- c. Use of professional growth funds will reflect identified needs of the school.
- d. Unused monies are not transferable from one fiscal year to another nor from one educator to another.
- e. The cost of substitute teachers may not be subtracted from this benefit.
- f. The cost of group professional development may not be taken from the amount allocated to each professional educator.

409.4. Policy Documentation for the professional growth of the principal/teacher shall be current and remain in the local personnel file. This shall include theology/religious education inservice and all other professional growth.

Procedures

Professional growth entries shall include courses, workshops, seminars, institutes, conventions, and local staff development.

§410 PERSONNEL EVALUATION

410.1. Policy All school personnel shall be evaluated annually by the appropriate administrator.

Procedures

- a. Evaluation shall be based on a program of supervision which includes consultation, observation and documentation in accordance with the Archdiocesan Office of Catholic Schools process for evaluating school personnel.
- b. The principal shall conduct an evaluation of non-teaching school personnel on an annual basis.

§411 SALARIES AND BENEFITS

411.1. Policy Minimum salaries and benefits are determined annually by the Archdiocese.

Procedures

Minimum salaries and benefits for administrators and teachers are announced early in the calendar year so they can be incorporated into the school budget for the following fiscal year.

411.2. Policy Paid vacation for school teachers/school support staff shall be given for full-time and benefits eligible part-time school employees. (*Amended 1-28-99*)

Procedures

- a. Full-time and part-time benefits eligible teachers and school personnel are entitled to a paid vacation taken during the school year at Christmas and Spring breaks.
- b. Holidays indicated on a school calendar are paid days for benefits eligible personnel.
- c. Paid vacation and school holidays are a benefit beginning with the first year of service.
- d. School secretaries and maintenance personnel who work a daily schedule of 7 hours for 12 months follow §405 of the Archdiocesan General Personnel Policies regarding paid vacation. School Christmas and Spring breaks may be taken as apart of the paid earned vacation or the person may work the holiday break and take vacation in the summer. Vacation time must be approved by the principal/pastor/supervisor. Paid holidays are those indicated on the local school calendar.
- e. School principals are twelve month employees and follow §405 of the Archdiocesan General Personnel Policies regarding vacation. The paid school breaks and holidays are a means of compensating the principal for overtime during the school year.
- f. Teacher Institute Days are not school holidays; however, support staff may negotiate vacation and/or personal time on such days.

§412 SICK DAYS

412.1. Policy A full-time or benefits-eligible part-time employee is entitled to paid sick days each year for personal illness or incapacity not covered by Worker's Compensation or for any illness or incapacity of a member of the employee's immediate family.

Procedures

- a. A teacher is entitled to ten paid sick days each year. A president / principal is entitled to twelve paid sick days each year.
- b. Sick days may be accumulated up to a maximum of 120 days.
- c. Accumulated sick days are not lost when an employee transfers from one school to another, provided there is no interruption of service.
- d. Sick days shall be granted to the employee as of the opening day of school each year. If hired after opening day, the employee shall be granted as many paid sick days as there are full months remaining in the school year.
- e. Sick days are not to be used as vacation days.
- f. Unused sick days shall not be compensated.
- g. Sick days shall be recorded on the Attendance Record Form provided by the Office of Catholic Schools.
- h. For absences other than those covered by policy, deductions shall be made from employee's salary at a per diem rate.
- i. "Immediate family" is ordinarily defined as employee's children, parents, siblings, spouse, in-laws, grandparents, and individuals residing in the same household, whether related or not.

§413 PERSONAL DAYS

413.1. Policy A full-time or benefits-eligible part-time employee is entitled to paid personal days each year.

Procedures

- a. An employee is entitled to two paid personal days each year. These two days are part of the ten or twelve sick days.
- b. Unused personal days accumulate as unused sick days.
- c. The employee is not obliged to divulge the purpose of the personal day(s) as a condition for taking such days.
- d. Reasonable notice shall be given to the employer prior to the personal day(s).
- e. Personal days shall not be taken during the first or last week of the school year or prior to or immediately after a holiday.

§415 CORPORAL PUNISHMENT

415.1. Policy Corporal punishment of students is not permitted.

§ 416 DISCIPLINE/DISMISSAL OF SCHOOL EMPLOYEE

416.1. Policy A school employee who violates Archdiocesan policy, contract, or performs unsatisfactorily, is subject to discipline and/or dismissal.

Procedures

- a. Ordinarily, the employee shall be given a written warning that performance must improve within a reasonable length of time.
- b. The employee is subject to disciplinary suspension, with or without pay, if the employee has failed to improve after adequate warning.
- c. For a serious reason, a principal may impose a suspension or dismissal without prior warning.

- d. Disciplinary situations and unsatisfactory performance of duties shall be documented on an on going basis.
- e. Any employee who uses corporal punishment shall be subject to disciplinary action.

416.2. Policy The possession and/or sale of an illegal substance either inside or outside of school may result in immediate suspension and possible dismissal.

Procedures

- a. When there has been an accusation or there is otherwise cause to believe that a school employee is engaged in the sale or possession of an illegal substance, the employer shall attempt to verify the facts.
- b. If there is reasonable suspicion of sale or possession, the employer shall:
 - ✓ consult with the Office of Catholic Schools;
 - ✓ continue careful documentation of the situation;
 - ✓ suspend the employee;
 - ✓ notify the police.

416.3. Policy Being under the influence of illegal substances, alcohol or other intoxicants while on the job is strictly prohibited. Violation of this policy may result in immediate suspension and possible dismissal. When an individual's job performance is negatively affected as a result of suspected substance abuse, the administration is responsible for intervention.

Procedures

- a. The Archdiocese recognizes that alcohol and / or drug dependency is an illness requiring appropriate intervention and treatment. Employees with such dependency are, therefore, encouraged to seek treatment before a problem interferes with the performance of their job.
- b. When a school employee comes forward or is suspected of this type of dependency, a pastoral approach ordinarily shall be used, i.e., conferences and treatment shall have priority consistent with the needs of the school.

- c. A pastoral approach to alcohol and / or other drug dependency includes, but is not limited to:
 - ✓ Upon request of the Administration, an evaluation shall be conducted by substance abuse professionals.
 - ✓ Proper application of Sick Leave Policy shall be determined.
 - ✓ Employment status shall be determined at the local level. Suspension of the employee may occur pending the outcomes of evaluation and treatment.
 - ✓ After reasonable pastoral and other measures have been taken without rehabilitation and the good of the school is in jeopardy, disciplinary / dismissal procedures may be initiated.

416.4. Policy A professional educator who has been dismissed during the term of the contract may request the conflict management process.

Cf. Policy / Procedure 203

§417 SEXUAL HARASSMENT

417.1. Policy Sexual harassment by one employee of another, by an employee of a student, by a student of an employee, or by one student of another is unacceptable conduct. Employees or students who engage in any type of sexual harassment will be subject to appropriate discipline, including suspension or expulsion.

Procedures

- a. Any person who feels that he or she has been a victim of sexual harassment shall bring the problem to the immediate attention of the principal.
- b. The principal shall answer questions about this policy, engage in fact finding to determine the details regarding the complaints of sexual harassment, and take appropriate corrective action.
- c. If the complainant is uncomfortable for any reason with discussing such matters with the principal, or if the complainant is not satisfied after bringing the matter to the attention of this individual, the complainant shall report the matter promptly to the pastor and the Office of Catholic Schools school consultant.
- d. The school will determine the facts regarding all allegations of sexual harassment in as prompt and confidential a manner as possible and will take appropriate corrective action when warranted.

417.2. Policy Retaliation in any form against an employee or student who exercises his or her right to make a complaint under this policy is strictly prohibited, and will itself be cause for appropriate disciplinary action.

Procedure

Reporting sexual harassment will not reflect upon the individual's status, nor will it affect future employment, grades, or work assignments.

417.3. Policy Any employee or student who knowingly makes false charges against an employee or a student in an attempt to demean, harass, abuse, or embarrass that individual shall be subject to the sanctions for misconduct set forth above.

§418 ALLEGATION/SUSPICION OF CHILD ABUSE/NEGLECT BY SCHOOL PERSONNEL

418.1. Policy The employer shall follow the Illinois Abused and Neglected Child Reporting Act and Archdiocesan procedures when an allegation and / or suspicion of child abuse is made against a school employee.

Procedures

- a. When an allegation / suspicion of child abuse / neglect is made against a school employee and reported by school personnel, the school shall:
 - ✓ call the Illinois Department of Children and Family Services;
 - ✓ suspend the school employee, pending the outcome of the investigation;
 - ✓ notify Gallagher Bassett;
 - ✓ notify the School Consultant of the Office of Catholic Schools.

- b. When an allegation of child abuse/neglect is made against a school employee and reported by someone other than school personnel, the school shall:
 - ✓ cooperate with the investigation;
 - ✓ suspend the school employee, pending the outcome of the investigation;
 - ✓ notify Gallagher Bassett;
 - ✓ notify the School Consultant of the Office of Catholic Schools.

§419 TERMINATION OF EMPLOYMENT

419.1. Policy The Office of Catholic Schools procedures shall be followed when an employee terminates employment at a local school.

Procedures

- a. Termination is defined as cessation of the employment relationship by either party for any reason.
- b. Termination materials are provided by the Office of Catholic Schools.

§420 PART-TIME SCHOOL PERSONNEL

420.1. Policy Part-time school personnel employed on an annual basis for 26 or more hours per week shall be considered benefits-eligible part-time employees.

Procedures

- a. Part-time employees shall be paid a pro-rated amount of the regular salary based on their preparation and experience.
- b. The employee who performs part-time duties at more than one school for a total of 26 or more hours per week shall be considered a full-time employee for the purpose of salary and benefits. In such cases, the schools shall coordinate payment of these benefits.
- c. School personnel employed on an annual basis for 25 or fewer hours per week shall be considered part-time employees and not eligible for employee benefits.

§421 SUBSTITUTE TEACHERS

421.1. Policy When the regular teacher is absent, the principal shall take whatever steps are necessary to assure the continuity of the instructional program.

Procedures

- a. Substitute teachers shall be compensated in the amount determined at the local level.
- b. A long-term substitute teacher (more than one month in same classroom) shall be compensated according to the archdiocesan salary schedule.

§422 CONTRACTED SERVICES PERSONNEL

422.1. Policy Contracts with any service agency shall be on file in the local school. Agency requirements as well as qualifications and information on each person working in the school shall be in the local school file. The principal shall follow regular local school screening procedures for each agency employee.

BOOK II THE PEOPLE OF GOD

PART I CHURCH PERSONNEL

TITLE II PARTICULAR PERSONNEL POLICIES

CHAPTER II OFFICE FOR CATECHESIS PERSONNEL POLICIES

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§800 THE PARISH DIRECTOR OF RELIGIOUS EDUCATION

"As awareness has grown of the need for continuing, comprehensive catechesis for all, an increasing number of men and women have assumed positions as parish or inter-parish directors and coordinators of religious education." (NCD, # 214)

801.1. Policy The parish shall have an approved Director of Religious Education (DRE) or share one with one or more other parishes.

Procedures

- a) Qualifications. An approved Director of Religious Education (DRE) is a person who:
- 1) Is a practicing Catholic;
 - 2) Has successfully completed an interview with the Archdiocesan Office for Catechesis;
 - 3) Maintains a current file with the Office for Catechesis including: the Archdiocesan application for parish Director of Religious Education, current resume, recent references, role description, job analysis worksheet, and documentation of course work.
 - 4) Holds a Master's Degree in religious education or related field; or gives evidence of equivalent preparation for the DRE profession;
 - 5) Has demonstrated catechetical and administrative competence;
 - 6) In the event that the person cannot meet (4) and/or (5), they may be awarded Provisional Approval by the Office for Catechesis. Individuals can be awarded Provisional Approval if they are in the process of fulfilling the graduate academic and/or professional requirements of a Director of Religious Education. To secure Provisional Approval, an individual must engage in a Plan for Professional Development designed with and approved by the Office for Catechesis. Provisional Approval is given for a period of one year. It is renewable upon submission of evidence of successful completion of goals. A copy of the Professional Development Plan and progress are to be filed at the Office for Catechesis.
- b) Role Description. The responsibilities of the parish Director of Religious Education are defined in the role description. This role description is formulated using the process in *the Handbook for Hiring a Parish Director of Religious Education*, available through the Archdiocesan Office for Catechesis.

The parish Director of Religious Education is a member of the pastoral staff and participates in staff meetings.

- c) The parish Director of Religious Education is a member of the Education Commission of the Parish Council and of appropriate committee(s) of the Commission. Guidelines regarding the structure and responsibilities of the Education Commission are available from the Archdiocesan Office of Parish Councils.

801.2. Policy The parish Director of Religious Education, under the supervision of the pastor, shall be responsible to implement the Parish Religious Education Policies and Procedures of the Archdiocese of Chicago and the parish statement of catechetical purpose.

801.3. Policy The parish Director of Religious Education shall be responsible for the administration of religious education programs for children, youth and adults and shall follow Archdiocesan directives for the administration of parish religious education programs.

Procedures

The Archdiocesan directives for the administration of parish religious education programs are available from the Archdiocesan Office for Catechesis.

§900 APPROVAL OF DIRECTORS OF RELIGIOUS EDUCATION

"...Diocesan offices should...establish norms for accrediting catechists, including directors and coordinators, catechists in parish programs, Catholic school personnel, etc. These norms should require demonstrated competence and should not be based solely on 'paper credentials.'" (NCD, #218)

901.1. Policy All candidates for the position of Director of Religious Education shall be approved by the Office for Catechesis before applying for the position of Director of Religious Education in the local parish.

Procedures

- a) It is the responsibility of the applicant to seek approval from the Office for Catechesis.
- b) Applicants must follow the procedures for DRE approval outlined in the *Procedural Steps for Procuring a Position as a Parish Director of Religious Education, Archdiocese of Chicago*, which is available from the Office for Catechesis.
- c) The Archdiocesan DRE approval process verifies that the candidate fulfills the necessary professional requirements for the position of Director of Religious Education within the Archdiocese. It does not substitute for adequate screening at the local level as described in §1000 & Title I, §202.
- d) Applicants who have not completed a Master's degree and/or do not have prior experience as Director of Religious Education can secure Provisional Approval as per policy 801.1(a)(6).

§1000 HIRING, PERFORMANCE REVIEW AND TERMINATION OF A DRE

"Pastors or parish boards which hire directors or coordinators must formulate clear and specific agreements with them concerning their duties, in line with diocesan policies." (NCD, #214)

§1001 HIRING

1001.1. Policy The pastor hiring a DRE shall follow the procedural steps outlined by the Office for Catechesis for hiring a Director of Religious Education.

Procedures

- a) The procedural steps are found in *A Handbook for Hiring a Parish Director of Religious Education*, available from the Office for Catechesis.

- b) Screening. The pastor is responsible to conduct adequate screening before hiring a Director of Religious Education. He should involve others in the parish in the screening process. Such screening should ordinarily include, but is not limited to, the following:
 - 1) establishment of a screening committee to assist in the process;
 - 2) confirmation that the applicant has been approved by the Office for Catechesis;
 - 3) a check of the personal and professional references of the applicant;
 - 4) verification of the candidate's eligibility for employment as required by federal law (INS Form I-9);
 - 5) a copy of the Plan for Professional Development for a catechetical leader who has Provisional Approval from the Office for Catechesis.

§1002 APPOINTMENT OF THE DRE.

1002.1. Policy After considering the recommendations of the screening committee, the pastor shall make the final decision to hire the candidate for the position of Director of Religious Education.

Procedures

- a) The pastor and DRE formalize the decision by finalizing the role description.
- b) The pastor follows the *Compensation Guidelines for Lay Employees, Men and Women Religious and Diocesan Priests Working in Parishes* in determining the compensation and benefits of the parish Director of Religious Education.
- c) Accumulated sick days and vacation time are transferable within Archdiocesan parishes, agencies and institutions. It is the responsibility of the DRE to inform the hiring parish or agency of the number of accrued sick days and vacation time for which she/he is eligible.
- d) The pastor or his delegate forwards to the Office for Catechesis:
 - 1) a copy of the DRE's role description.
 - 2) a copy of the completed DRE job analysis worksheet from the *Compensation Guidelines for Lay Employees, Men and Women Religious and Diocesan Priests Working in Parishes*.

§1003 PERSONNEL FILE

1003.1. Policy The Pastor shall be responsible to maintain a personnel file for the Director of Religious Education. (See Title I, §708.1 Contents)

Procedures

- a) The personnel file contains:
 - 1) a copy of the Archdiocesan application form, or personnel file form,
 - 2) verification of approval by the Archdiocesan Office for Catechesis or verification of Provisional Approval and a copy of the Plan for Professional Development,
 - 3) transcripts of credits,
 - 4) letters of reference;

- 5) a copy of INS Form I-9
 - 6) a copy of the current job analysis worksheet;
 - 7) a copy of the annual performance review instrument;
 - 8) a copy of any memo or other document which pertains to the individual and which may be used in making decisions regarding salary, promotions or the continued employment of the DRE;
-
- 9) a record of sick days; personal days, vacation days and retreat days taken by the DRE, as well as a record of sick days which have been accumulated;
 - 10) emergency information; and
 - 11) records of professional growth.
- b)** The personnel file of the DRE is retained in the parish for six years after his/her termination. After six years following the date of termination, the parish keeps only a record of:
- 1) the starting and ending dates of employment;
 - 2) the job title(s) of the employee during the time of employment;
 - 3) the annual salary or hourly pay at the time of termination.
- c)** The personnel file is to be destroyed only after consultation with the Archdiocese of Chicago Archives and Records Center. (Title I, §708.3 Retention)

<p>1003.2. Policy A DRE may review his/her personnel file with reasonable notice, subject to the following procedures. (See Title I, §708.2 Employee's Right of Review).</p>

Procedures

- a)** A personnel file review excludes:
- 1) letters of reference;
 - 2) test documents (other than the score itself);
 - 3) any records alleging criminal activity;
 - 4) information of a personal nature about a person other than the DRE if it would invade that person's privacy; and
 - 5) records involving the DRE subject to judicial proceeding.

- b) In a review, the DRE may read, copy or supplement the file. He/she may not remove anything from the file.
- c) Notation of all reviews and disclosures of file information should be noted in the file.

§1004 PERFORMANCE REVIEW

<p>1004.1. Policy The DRE and Pastor shall engage in a formal performance review process annually. (See Title I, §701.1 Performance Review)</p>
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Procedures

- a) In conducting the annual DRE performance review, the Pastor and DRE use the *Performance Review Instrument for Directors of Religious Education* or one of the general performance review instruments provided by the Department of Personnel Services. Ordinarily they use the following process:
 - 1) The Pastor and DRE schedule an appointment for the annual performance review.
 - 2) Using the selected performance review instrument as a guide, the pastor and DRE prepare for the Performance Review meeting by assessing the accomplishment of the goals established for the review period and the responsibilities outlined in the DRE role description.
 - 3) The DRE and Pastor use the DRE Performance Review or one of the general performance review instruments as the basis of the performance review.
 - 4) The DRE Role Description and Job Analysis Worksheet are reviewed and updated.
 - 5) The Pastor completes the selected Performance Review instrument. The DRE adds his/her comments. The Pastor and DRE sign the performance review instrument. (For salary increase or adjustment see Title I, §300.)

- 6) The signed performance review form is placed in the DRE's parish personnel file. The DRE receives a copy of the form for his/her own records.
- b) The annual performance review process should ordinarily be completed by a date as is mutually agreed upon by the DRE and the Pastor but no later than April 15th.
- c) Throughout the year, the DRE and Pastor engage in ongoing dialogue and informal performance review regarding the DRE's performance.
- d) A copy of each of the following is sent to the Archdiocesan Office for Catechesis:
 - ✓ the updated job analysis worksheet,
 - ✓ the DRE role description.
 - ✓ a copy of the performance review form

§1005 TERMINATION

When a decision is made not to continue employment, the DRE is said to be terminating employment at the parish. Termination is the general term used to indicate cessation of an employment relationship by either party for any reason.

1005.1. Policy Regardless of who initiates the termination, the following procedures shall be followed when a DRE terminates employment a parish.
(See §1100 Discipline or Dismissal of a DRE and Title I, §704 of the General Personnel Policies.)

Procedures

- a) The pastor conducts an exit interview with the DRE. Whenever possible, a third person is present for the exit interview. This interview includes:
 - 1) an explanation of the benefits available to the terminating DRE;
 - 2) completion of Archdiocesan DRE termination form (This form includes the reason for the termination. It is signed by both the pastor and DRE. The form is available from the Archdiocesan Office for Catechesis);

- 3) a discussion of procedures necessary to insure a smooth transition.
- b)** The DRE completes his/her responsibilities in such a way as to make possible a smooth transition.
- c)** When the DRE is a lay person or religious, the pastor completes a Separation Report for Unemployment Compensation.

§1100 DISCIPLINE OR DISMISSAL OF A DRE

"Pastors or parish boards which hire directors or coordinators must formulate clear and specific agreements with them concerning their duties, in line with diocesan policies." (NCD, #214)

1100.1. Policy The pastor shall follow Archdiocesan policies 703.1, 2, 3 of Title I, General Personnel Policies, when it is necessary to discipline or dismiss a DRE. (See Title I, §703.1, §703.2 & §703.3)

Procedures

- a) Prior to suspension or dismissal of a DRE, the pastor shall consult with appropriate personnel at the Archdiocesan Office for Catechesis.
- b) Should there be an allegation of child abuse against the DRE, Archdiocesan policies and procedures shall be followed. These policies and procedures are available from the Archdiocesan Office for Catechesis (See Title I, §602 of the General Personnel Policies).

§1200 TRAINING AND FORMATION OF CATECHETICAL STAFF

"...the individual [director or coordinator] is responsible for overall direction of the parish's catechetical programs. This includes working with the pastor, other ministries and appropriate committees, boards, or councils involved in setting policy and planning; designing catechetical programs; assisting in liturgical planning; conducting sacramental preparation workshops; and providing opportunities for staff development." (NCD, #214)

1201.1. Policy The Director of Religious Education shall be responsible to the pastor for insuring that there be training and formation of the catechetical staff in accord with the policies and procedures of the Archdiocese, the Office for Catechesis and the Office of Catholic Schools.

Procedures

- a) The Parish Director of Religious Education conducts and/or supervises the formation of parish catechists according to *Fostering Faith/Fomentando La Fe: Archdiocesan Process for Catechist Formation and Certification*. These guidelines are available from the Office for Catechesis.
- b) The DRE keeps records of each parish catechist's progress toward certification in the catechist's personnel file.
- c) When a parish catechist transfers to a new parish, the DRE, upon written request of the catechist, provides a photocopy of the catechist certification record for the catechist's file in the new parish.
- d) The DRE and principal will work collaboratively to carry out their respective responsibilities in the training and formation of the catechetical staff.

§1300 CATECHISTS

"One who exercises the ministry of the word represents the Church, to which the word has been entrusted. The catechist believes in the Church and is aware that, as a pilgrim people, it is in constant need of renewal. Committed to this visible community, the catechist strives to be an instrument of the Lord's power and a sign of the Spirit's presence." (NCD, # 208)

§1301 QUALIFICATIONS OF CATECHISTS

1301.1. Policy All catechists shall be skilled, knowledgeable and faithful Roman Catholics. They shall be committed witnesses to the Gospel. They shall share actively in parish life. They serve the parish by communicating Christ's message as articulated in the magisterium of the Church.

§1302 SCREENING

1302.1. Policy The Parish Director of Religious Education shall be responsible for screening catechetical personnel for parish programs of religious education. (See Title I, §202.7 Criminal Background Check)

Procedures

- a) For parish catechists in programs of religious education for adults, screening consists of an interview to discern the faith development and commitment of the catechist and to ascertain the skills and knowledge which the person brings to the catechetical ministry. Individuals should complete the Archdiocesan Application for Employment or Volunteer Service (form 7703).
- b) For catechists in parish programs of religious education for minors (up to age 18) the screening process includes:
 - 1) the completion of the *Archdiocesan Parish Catechist Application* available from the Archdiocesan Office for Catechesis;
 - [Note: Completion of the catechist application requires the catechist to be informed of the Abused and Neglected Child Reporting Act. These responsibilities are presented in a brochure, *Care Enough to Call*, available from the Department of Children and Family Services]

- 2) an initial interview to review the information in the application, to discern the faith development and commitment of the catechist, and to assess the skills and knowledge which the person brings to the ministry of catechist;
 - 3) reference checks: employment and personal; and
 - 4) final approval by the DRE based on the results of the interview and the reference check.
- c) For other persons assisting in parish programs of religious education for children, the screening process includes:
- 1) the completion of the Application for Employment or Volunteer Service (form 7703);
 - 2) reference checks: employment and personal; and
 - 3) final approval based on the reference check.
- d) The DRE will not discriminate on the basis of race, sex, age, national origin, or physical or mental disability unrelated to the person's ability to perform the duties of the position.

§1303 PERSONNEL FILE

1303.1. Policy The DRE shall be responsible to maintain a personnel file for all catechetical personnel in parish religious education programs.

Procedures

- a) The personnel file includes:
- 1) the Archdiocesan Catechist Application Form or Reference Verification Form (where applicable),
 - 2) documentation of reference checks (where applicable),
 - 3) records of the catechist's formation and training, and
 - 4) formal and informal performance reviews
 - 5) where applicable, a record of sick/vacation days.
- b) When a parish catechist transfers to another parish, the Director of Religious Education may, upon request by that parish and with written permission of the catechist, forward copies of records of the catechist's formation and training.
- c) The personnel file of a parish catechist or other catechetical volunteer is retained in the parish for six years after the person completes his/her catechetical service.

- d) After six years following the date of termination of a catechetical volunteer, the parish keeps a simple record of:
 - 1) the starting and ending dates of service;
 - 2) the job title(s) of the volunteer during the time of service; and
- e) The file is to be destroyed only after consultation with the Archdiocese of Chicago Archives and Record Center.

§1304 CATECHIST PERFORMANCE REVIEW

1304.1. Policy The Parish Director of Religious Education shall supervise and review the catechist's development and catechetical performance annually.

Procedures

- a) The qualities of a catechist listed in the *National Catechetical Directory*, paragraphs 205-210, can provide a guideline for the criteria for performance review.
- b) An effective performance review will include an opportunity for self-assessment by the catechist, observation, and a performance review conference with a DRE or a qualified designate in order to affirm the catechist's skills and give direction for growth and development.

§1305 ALLEGATION OF CHILD ABUSE

1305.1. Policy Should there be an allegation of child abuse against a member of the catechetical staff, Archdiocesan policies and procedures shall be followed. (See Title I, §602 Sexual Misconduct with Minors)

§1400 CATECHIST FORMATION

"...catechists should certainly seek to acquire the knowledge, skills, and abilities needed to communicate the gospel message effectively. They must have a solid grasp of Catholic doctrine and worship; familiarity with scripture; communication skills; the ability to use various methodologies; understanding of how people grow and mature and of how persons of different ages and circumstances learn." (NCD, # 211)

1401.1. Policy All catechists shall participate in ongoing formation in faith, catechetical training and education. Parish catechists are required to be working toward Archdiocesan catechist certification. They shall have a sufficient knowledge of Roman Catholic doctrine and worship, familiarity with Scripture, ability to communicate and an understanding of developmental stages and learning styles.

Procedures

- a) All parish catechists in the Archdiocese must be certified or working toward Archdiocesan Catechist Certification or continuing post-certification study.
- b) Parish catechists are certified through catechetical training sessions developed according to *Fostering Faith/Fomentando La Fe: The Archdiocesan Process for Catechist Formation and Certification*. Certification can be achieved through training programs sponsored by the Archdiocese, Vicariate, Deanery, or Parish or through other regional formation events.
- c) Catechists involved in programs with participants of specific cultures or with special needs are to receive training and formation which prepares them to work effectively with such groups.

BOOK II THE PEOPLE OF GOD

PART I CHURCH PERSONNEL

TITLE II PARTICULAR PERSONNEL POLICIES

CHAPTER III PASTORAL ASSOCIATE POLICIES

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§100 PASTORAL ASSOCIATE CERTIFICATION

100.1. Policy All pastoral associates in the Archdiocese of Chicago must either have or be in the process of application for certification with the Office for Lay Pastoral Ministry.

100.2. Policy No pastor or administrator is authorized to hire a pastoral associate unless and until the Office for Lay Pastoral Ministry has determined that the applicant is eligible for certification.

Recognition is also a provision to flex to the unique needs of those ministers who have been working as pastoral associates in parishes of the Archdiocese of Chicago before the policies on certification were enacted, but without the scope of background called for in the Criteria for Eligibility.

See “Pastoral Associate Certification” handbook for further information.

§150 TOGETHER IN GOD’S SERVICE

*Archdiocesan certification/approval in the areas of ministry addressed by the TIGS program (currently Directors of Religious Education and Pastoral Associates), as well as calling and then commissioning for ministry within the parishes of the Archdiocese, will be granted only to individuals who have completed the requirements of **Together in God’s Service Lay Ecclesial Ministry Formation Program**, or those who have met the conditions of the “special circumstances” provision (below).*

*Since employment in the parishes of the Archdiocese as a **certified Lay Ecclesial Minister** requires that a candidate be approved or certified by the respective certifying agency and called and commissioned by the Archbishop, completion of the requirements of **Together in God’s Service**, will, therefore, be a condition of employment for positions in the designated areas of ministry, unless the candidate meets the requirements of the “special circumstances” provision.*

150.1. Policy All Lay Ecclesial Ministers serving in Parishes within the Archdiocese of Chicago shall have completed the requirements of **Together in God’s Service**.

Procedures

Currently, Pastoral Associate (PA) and Director of Religious Education (DRE) are the roles given the designation of Lay Ecclesial Minister in the Archdiocese of Chicago.

The following exceptions are granted for special circumstances:

- a) Ministers from Outside the Archdiocese. Anyone moving to the Chicago area from outside the Archdiocese of Chicago who can demonstrate that she/he has had formational preparation equivalent to that offered through the *Together in God’s Service* program may be certified, called and commissioned for ministry in the archdiocese if they also meet the other certification criteria of the Office of Lay Ecclesial Ministry (OLEM) or the Office for Catechesis (OFC), and after successfully completing one year of employment as a DRE/PA. Those who have not had adequate formation preparation shall participate in the dimension of the *Together in God’s Service* program deemed necessary by the director of the Office for Lay Ecclesial Ministry and/or the Office for Catechesis and the *TIGS* director.
- b) Current Ministers in the Archdiocese of Chicago. Individuals who have been ministering as DRE’s or PA’s and who are currently certified/approved by the Office for Catechesis or the Office for Lay Ecclesial Ministry are exempt from the *TIGS* requirement and qualify for calling and for commissioning by the Archbishop. In addition, the *TIGS* exemption is extended to anyone who qualifies for and receives certification/approval by January 1, 2005.
- c) Other exceptions may be granted by a joint decision of the *TIGS*’ Director, OLEM/OFC Director (as appropriate) and the Director of the Department of Personnel Services.

§200 PERFORMANCE REVIEW

201.1. Policy The Pastoral Associate and Pastor shall engage in a formal performance review process annually. (See Title I, §701.1 Performance Review)

Procedures

- a) In conducting the annual performance review, the Pastor and Pastoral Associate use one of the general performance review instruments provided by the Department of Personnel Services.
- b) The signed performance review form is placed in the Pastoral Associate's personnel file. The Pastoral Associate receives a copy of the form for his/her own records.
- c) The annual performance review process should ordinarily be completed by a date as is mutually agreed upon by the Pastoral Associate and the Pastor but no later than April 15th.
- d) Throughout the year, the Pastoral Associate and Pastor engage in ongoing dialogue and informal performance review regarding the Pastoral Associate's performance.

§300 SPIRITUAL DEVELOPMENT

301.1. Policy Pastoral Associates shall be eligible for one week of religious retreat per fiscal year. Religious retreats are indicated as a benefit for their position in the Compensation Guidelines. (See Title I, §409.7 Retreats).

Procedures

- a) Paid time off is provided for one week.
- b) Retreats may be paid for from an employee's professional growth allowance.

§400 PROFESSIONAL GROWTH

401.1. Policy An allowance shall be allocated every fiscal year for professional growth for Pastoral Associates as stipulated in the Compensation Guidelines. (See Title I, §409.8 Professional Growth).

Procedures

- a)** Please refer to the most current compensation guidelines for the amount to be allocated.
- b)** The professional growth allowance is to be used for retreats, education, job related programs, books and materials selected by the employee and approved by his/her supervisor.

§500 PASTOR AND PASTORAL ASSOCIATE RELATIONSHIP

501.1. Policy The relationship between the Pastor and Pastoral Associate is to be characterized by mutual respect and cooperation. The Center for Development in Ministry shall offer programs for Pastors and Pastoral Associates to help strengthen this important relationship.

§600 MUTUAL SUPPORT

601.1. Policy The Pastoral Associate shall be allowed reasonable time away from the parish on a monthly basis to gather with other pastoral ministers for mutual support, planning and encouragement. This recognizes that their ministry serves Archdiocesan interests, goals and needs beyond the boundaries of the parish.

§700 TERMINATION

701.1 Policy Whereas most parish ministry positions are budgeted and filled corresponding to the fiscal year, the parish pastor or designee shall make reasonable efforts to initiate terminations, due to budgetary constraints, as soon as possible so that ministers can apply for subsequent employment during the spring hiring cycle.

Procedures

For example, if a parish is forced to discontinue a position because of funding, the pastor should inform the employee as soon as possible, rather than waiting until the end of the fiscal year, so that the employee can be considered for a position at another parish which, presumably, will be considering candidates for positions to be funded for the upcoming fiscal year.

701.2. Policy Pastoral Associates shall make reasonable efforts to give parishes ample notification of intent to leave a position, in order to minimize disruption to the parish.

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PART I CHURCH PERSONNEL

TITLE II PARTICULAR PERSONNEL POLICIES

**CHAPTER IV PASTORAL COORDINATOR
POLICIES**

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§100 PASTORAL COORDINATOR POLICIES

BASIC DEFINITIONS

A **Pastoral Coordinator** in the Archdiocese of Chicago is a qualified deacon or lay person entrusted with a participation in the exercise of the pastoral care of a parish where there is no resident pastor.

A **Pastor or Administrator** is the canonical (non-resident) pastor of a parish with a Pastoral Coordinator. He is to be the priest supervisor of the Pastoral Coordinator in the pastoral care of the parish. While he may delegate various specific duties to the Pastoral Coordinator and other parish ministers when appropriate and permitted by canon law, the Pastor or Administrator cannot delegate his general responsibilities and thus ultimately remains responsible for the performance of these functions.

A **Sacramental Minister** is a priest who provides the sacraments in a parish where there is a Pastoral Coordinator. The Sacramental Minister is preferably not the same person as the Pastor or Administrator, depending on local needs and circumstances. The Sacramental Minister is appointed by the Archbishop, is accountable to the Pastor or Administrator, and collaborates with the Pastoral Coordinator who coordinates the day-to-day activities of a parish.

The **Pastoral Coordinator**, the non-resident **Pastor or Administrator** and the **Sacramental Minister** of a parish are appointed by the Archbishop in the Archdiocese of Chicago and all are accountable to him.

§100 PASTORAL COORDINATOR POLICIES

100.1. Policy When the Archbishop determines that the pastoral needs of a particular area or parish require it, he will appoint a priest for the pastoral care of more than one neighboring parish. If pastorally appropriate, this priest may be assisted in his ministry by the Archbishop's appointment of a pastoral coordinator for each parish in which this priest does not reside. The pastor oversees the pastoral care of the parish.

Procedures

In making this determination and appointment, the Archbishop will be advised by the Parish Staffing Team and the Diocesan Priests' Placement Board. The appropriate Vicar and dean will be consulted.

Documentation

"A pastor is to have the parochial care of only one parish; however, the care of several neighboring parishes can be entrusted to the same pastor due to a dearth of priests or in other circumstances" (canon 526, §1).

100.2. Policy In the Archdiocese of Chicago, the office of Pastoral Coordinator is established whereby a qualified deacon or non-ordained person is entrusted by the Archbishop with a participation in the exercise of the day-to-day pastoral care and administration of a parish where there is no resident pastor or parochial administrator. He or she has the duty to involve the people of the parish to assist in carrying out the mission of the Church.

Procedures

The qualifications for the office of pastoral coordinator are determined by Policy §100.6.

Documentation

"An ecclesiastical office is any function constituted in a stable manner by divine or ecclesiastical law to be exercised for a spiritual purpose" (canon 145, §1).

"Particular laws are promulgated in a manner determined by the legislator" (canon 8, §2).

"The diocesan bishop is to govern the particular church committed to him with legislative, executive and judicial power in accord with the norm of law" (canon 391, §1).

100.3. Policy The pastoral coordinator and the non-resident pastor or parochial administrator are accountable to the Archbishop or his delegate. The pastoral coordinator is supervised by the non-resident Pastor or parochial administrator and regularly reports to him on all facets of the life of the parish.

The pastoral coordinator represents the parish community (practically, even if not juridically) and is involved in ecumenical, area, cluster, deanery, vicariate, and archdiocesan networks of pastors (even though he/she is not canonically the same as a pastor.)

Procedures

The Archbishop's delegate will ordinarily be the Director of the Office for Lay Pastoral Ministry.

The reporting obligation of the Pastoral Coordinator would be determined in collaboration with and in relationship to the local Vicar and dean.

100.4. Policy A pastoral coordinator is appointed by the Archbishop to a stable term of office coterminous with that of the pastor or parochial administrator, except that the premature termination or departure from office on the part of either the pastor/administrator or the pastoral coordinator shall not result in the premature termination of the other.

Documentation

"An ecclesiastical office cannot be validly acquired without canonical provision."

"Provision of an ecclesiastical office occurs by the free conferral of a competent ecclesiastical authority" (canon 147).

"That authority which is competent to establish, modify and suppress offices is also competent to make provision for them unless the law establishes otherwise" (canon 148).

"Unless otherwise explicitly determined by law, it is within the competence of the diocesan bishop to provide for ecclesiastical offices in his own particular church by free conferral" (canon 157).

100.5. Policy The sacramental life of a parish served by a pastoral coordinator will be provided for by a priest who will be named the sacramental minister. The sacramental minister is appointed by the Archbishop and is accountable to the pastor/administrator in collaboration with the pastoral coordinator. The pastoral coordinator in collaboration with the sacramental minister will arrange for providing sacramental and other pastoral services as needed in administering the day-to-day pastoral care of the parish.

Procedures

The sacramental minister may be either the pastor/administrator of the parish or some other priest, such as a priest in residence at the parish but having another full-time assignment or the associate pastor of another parish.

Documentation

"The pastor is to see to it that the Most Holy Eucharist is the center of the parish assembly of the faithful; he is to work to see to it that the Christian faithful are nourished through a devout celebration of the sacraments and especially that they frequently approach the sacrament of the Most Holy Eucharist and the sacrament of penance; he is likewise to endeavor that they are brought to the practice of family prayer as well as to a knowing and active participation in the sacred liturgy, which the pastor must supervise in his parish under the authority of the diocesan bishop, being vigilant lest any abuses creep in" (canon 528, §2).

"Ordinary executive power can be delegated both for a single act and for all cases, unless the law expressly provides otherwise" (canon 137, §1).

100.6. Policy To be considered for appointment as a pastoral coordinator, a person must meet Archdiocesan requirements and be certified for this ministry by the Archbishop.

Procedures

- a) The Office of Placement Services will have responsibility for assisting the Archbishop in administering the certification process. This office will also assist the proper Episcopal Vicar and parish pastor/administrator in the supervision and evaluation of pastoral coordinators.
- b) After consultation and in collaboration with the Priest Personnel System, names of certified candidates will be submitted to the Archbishop for consideration of appointment as pastoral coordinators.

c) The criteria for eligibility for this position are:

Qualifications:

A. Education

B. Experience

1. Ministerial

2. Administrative

Requirements:

Masters of Divinity or Equivalent

7 years parish ministry

3-5 years

Qualifiers:

From an accredited Catholic institution

Leadership experience in varied areas such as Religious Education, RCIA, Liturgy, Ministry of Care, etc.

Staff experience, preferably as a Pastoral Associate

Demonstrated skills in pastoral ministry: relational and pastoral sensitivity.

Demonstrated proficiency in areas of leadership, organization, supervision, finance, and human resources

Knowledge of and sensitivity to multi-cultural concerns

Qualifications:

C. Personal

Requirements:

Practicing Roman Catholic and in good standing

A person of faith, prayer, and Christian moral values

Demonstrates ability to maintain and sustain healthy interpersonal relationships

Qualities:

Appreciates Catholic tradition and can articulate his/her faith in light of it

Knows and appreciates own gifts, personality strengths and weaknesses

Able to articulate faith experience and share it with others

Witnesses to Gospel values through his/her lifestyle

Open to ongoing conversion and religious formation

Understands divine revelation in creation, scripture, the person of Jesus, and lived experience

Understands process of theological reflection

Understands the nature of ministerial and personal boundaries

*Exception to any of above to be determined on an individual basis

Documentation

"In order to be promoted to an ecclesiastical office, a person must be in the communion of the Church as well as suitable, namely endowed with those qualities which are required for the office in question by universal or particular law or by the law of the foundation" (canon 149, §1).

100.7. Policy Salary and benefits for the pastoral coordinator position will be established as part of the Compensation Policies published by the Archdiocesan Department of Personnel Services.

Documentation

"Lay persons who devote themselves permanently or temporarily to some special service of the Church are obliged to acquire the appropriate formation which is required to fulfill their function properly and to carry it out conscientiously, zealously, and diligently" (canon 231, §1).

"With due regard for can. 230, §1, they have a right to a decent remuneration suited to their condition; by such remuneration they should be able to provide decently for their own needs and for those of their family with due regard for the prescriptions of civil law; they likewise have a right that their pension, social security and health benefits be duly provided" (canon 231, §2).

"When clerics dedicate themselves to the ecclesiastical ministry, they deserve a remuneration which is consistent with their condition in accord with the nature of their responsibilities and with the conditions of time and place; this remuneration should enable them to provide for the needs of their own life and for the equitable payment of those whose services they need" (canon 281, §1)

"Provision is likewise to be made so that they possess that social assistance by which their needs are suitably provided for if they suffer from illness, incapacity or old age" (canon 281, §2).

"Married deacons who dedicate themselves completely to the ecclesiastical ministry deserve a remuneration by which they can provide for their own support and that of their families; married deacons, however, who receive remuneration by reason of a civil profession which they exercise or have exercised are to take care of their own and their family's needs from the incomes derived from their profession" (canon 281, §3).

100.8. Policy It will be the responsibility of the Vicar for Regional Services and the Director of the Department of Personnel Services to provide for periodic review of the pastoral coordinator position policies.

Procedures

- a) Time for review to be determined as needed.
- b) Results of review will be reported to the Archbishop, the Presbyteral Council, and the Archdiocesan Pastoral Council.

BOOK II THE PEOPLE OF GOD

PART I CHURCH PERSONNEL

TITLE III SACRED MINISTERS OR CLERICS

CHAPTER I PRIESTS

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§100 THE MISSION OF DIOCESAN PRIESTS

As Jesus commissioned the apostles to “go and make disciples of all the nations” (Matthew 28:16), so priests are sent by the diocesan bishop to continue Christ’s mission. The diocesan priests of the Archdiocese of Chicago, aware of their unity with their Archbishop, his Auxiliary Bishops and with one another in the priesthood of Christ, form one Presbyterate and one brotherhood in the service of the People of God, and are called to fulfill the official pastoral ministry of the Church.

The Diocesan Priests’ Personnel System is a mission-based approach to ministry, whereby the priests of the Archdiocese collaborate with the Archbishop to answer Christ’s call of conscientious service to the People of God.

§101 CALL AND MISSION

101.1. Policy The diocesan priests of the Archdiocese of Chicago receive their mission for priestly ministry from the Archbishop of Chicago, who makes the assignment of priests in consultation with The Diocesan Priests’ Placement Board, the Episcopal Vicars, Deans, other priests and lay members of the Christian faithful. (cf. Vatican Council II, *Christus Dominus* 28-31; *Ecclesiae Sanctae* I, 18; *Code of Canon Law*, canons 157, 523-524, 539, 547, 557 and 565.)

§102 DIOCESAN PRIESTS’ PERSONNEL SYSTEM

The Diocesan Priests’ Personnel System will be composed of the Priests’ Placement Board in cooperation with the Episcopal Council and others. The Diocesan Priests’ Personnel System is part of the Department of Personnel Services.

§102.1. Priests’ Placement Board

102.1. Policy The Priests’ Placement Board shall be chaired by a member of the Board who is elected by the members of the Board. The Board shall work closely with the Episcopal Council, the Vicar(s) for Priests, the Archbishop’s Delegate for Extern and International Priests and others, as needed, to recruit and recommend diocesan priests to the Archbishop for placement in assignments throughout the Archdiocese in accord with established policies.

Procedures

a) **Membership.** The membership of the Diocesan Priests' Placement Board shall consist of nine members. Six members shall be elected by the priests of the Archdiocese, five of whom will be part-time and one of whom will be full-time. Three members, who will be part-time, shall be appointed by the Archbishop.

b) **Executive Secretary**. The full-time member of the Board shall serve as Executive Secretary.

c) **Personnel Planner**. In order to assist the Board in its work, a personnel planner shall identify the anticipated vacancies in parishes and plan the placement schedule accordingly.

§102.2. Episcopal Council

102.2. Policy The Episcopal Council, consisting of the Archbishop, his Vicar General and regional Episcopal Vicars, shall meet regularly with the Priests' Placement Board to address the general personnel needs of the Archdiocese. Specifically, the Episcopal Council and the Priests' Placement Board, in consultation with the Vicar(s) for Priests, the Archbishop's Delegate for Extern and International Priests and others, as needed, shall review all priest openings in parishes and recommend to the Archbishop the best use of priest personnel resources in responding to pastoral needs; consider current and future personnel needs of parishes, seminaries, Pastoral Center agencies, and other ministerial projects and apostolic activities.

§103 STRUCTURE AND OPERATION

§103.1. Joint Meetings of the Episcopal Council and Priests' Placement Board

103.1. Policy The joint meetings of the Episcopal Council and the Priests' Placement Board, in conjunction with the Vicar(s) for Priests, the Archbishop's Delegate for Extern and International Priests and others, as needed, shall be chaired by the Vicar General, with the Archbishop presiding. With the assistance of the Executive Secretary of the Priests' Placement Board, the Vicar General shall provide regular reports to the Archbishop concerning staffing needs of parishes, seminaries, Pastoral Center agencies, and other ministerial projects and apostolic activities.

Procedures

Others to consult may include persons such as the local Dean and the Directors of the Offices of Religious, Asian Catholics, Hispanic Catholics, European Catholics, etc.

§200 PLACEMENT OF DIOCESAN PRIESTS

§201 NAME OF THE PRIESTS' PLACEMENT BOARD

201.1. Policy The name of the Diocesan Clergy Personnel Board of the Archdiocese of Chicago shall be changed to the "Diocesan Priests' Placement Board of the Archdiocese of Chicago (hereinafter "Board").

§202 PLACEMENT OF ASSOCIATE PASTORS IN PARISHES

Section 202 contains the policies and procedures for the placement of priests, whether newly ordained or not, in open associate pastor positions. There are certain placement policies which only apply to the newly ordained, but they are contained in section 203.

§202.1. Open Listing of New Positions

§202.1.1 Existence of an Opening

202.1.1.1. Policy Pastors shall submit to the Board written position descriptions for associate pastor positions which they are requesting to be approved for the open list.

Procedures

The Board will provide parishes with a model format for developing position descriptions.

202.1.1.2. Policy The Board shall decide which parishes *shall* be on the open list for associate pastors in accordance with §202.1.2.

Procedures

Considerations for the Distribution of Diocesan Priests in Parishes

a) Priestly Service

- ✓ consideration of the number of sacramental ministrations reasonably required by a placement site;
- ✓ consideration of the size of the Catholic population served;
- ✓ consideration of the wider responsibilities attached to a particular site (ie., hospitals, nursing homes, high school adjacent to parish site, etc.).

b) Priestly Presence

- ✓ consideration for missionary or evangelical efforts in areas which are largely non-Catholic;
 - ✓ consideration of the Proclamation of the Word and the need for shaping the vision and spirituality of a Christian community;
 - ✓ consideration of the value of the symbolic presence of a priest/minister at a placement site.
- c) Deployment of Other Ministerial Personnel
- ✓ consideration of the proximity of other priests to the site;
 - ✓ consideration of the operative vision and readiness of a parish for the placement of men or women religious, permanent deacons, or lay ministers in ministerial positions previously occupied by priests.

§202.1.2. Consultation Mandate

202.1.2. Policy Before deciding which parishes should be on the open list for associate pastors, the Board shall consult with the appropriate Episcopal Vicar and the appropriate Dean, the Parish Staffing Team, and the Director of the Department of Personnel Services and the Director of Research and Planning.

Procedures

- a) Consultation. The Board should consult with the parish staff and the people of the parish, make a resume of this parish consultation, and prepare a parish profile.
- b) Notification. The Board will publish two listings:
- 1) To the Pastors: a list of associates to be changed.
 - 2) To the Associate Pastors: a list of parishes that are "Open".

§202.1.3. Prioritized Open Listing

202.1.3. Policy To insure the most equitable distribution of diocesan priest personnel, the Board shall prepare a prioritized list of available parishes. This prioritized list shall include those parishes with the most pressing needs as determined by the Board during the consultation process (§202.1.2).

Procedures

In order to assist the Board in making its decisions, pastors are required to give reasons for the preferences they have expressed.

§202.2. Application and Placement Process

202.2.1. Policy Priests interested in a specific associate pastor position shall submit to the Secretary of the Board a written application.

Procedures

- a) In preparation for the annual change of associate pastors, the Board will notify associate pastors, whose term of office in their present assignment has expired, of the existence of an open associate pastor position. The Board will also inform the Presbyterate of the opening for reassignment of associate pastors whose term has not yet expired.
- b) The application must be submitted within 17 days of the date of the notification of the open position. The date will be specified in the official notification.
- c) The application must include a written resume, using a form provided by the Board.
- d) Each associate pastor slated for change is asked to present a list of no fewer than five preferences. This list is to be submitted before the application deadline date and is confidential.
- e) In order to assist the Board in making its decisions, associate pastors are encouraged to give reasons for the preferences they have expressed.
- f) Selection. Only after the expiration of the deadline date for accepting applications may the Board begin the process of selecting candidates for a specific associate pastor position.

202.2.2. Policy The Board shall recommend a specific appointment to each associate pastor through his contact person.

Procedures

After the associate has been informed he will advise the pastor of the recommendation. If, after consultation, either the associate pastor or the pastor has serious reservations about the recommended assignment, he must notify the Board in writing before the specified deadline.

202.2.3. Policy The Board shall follow the procedures to this policy in making recommendations to the Archbishop of specific appointments of associate pastors.

Procedures

- a) In making its recommendations, the Board should give consideration to an individual's past assignments, especially his having served in the urban apostolate or difficult assignments. In its efforts to know the priests better, the Board should consult with the deans when appropriate.

- b) Recommendations are submitted to the Archbishop for his approval and official appointment.

§202.3. Letter of Agreement

202.3. Policy After the Board makes its recommendation of a specific appointment for an associate pastor, the associate pastor and pastor shall meet and prepare a letter of agreement setting forth the tenure of the associate pastor and their mutual expectations. This shall be signed by both parties and sent to the Board for approval.

Procedures

- a) Upon approval, the agreement will be kept in the priest's personnel file.

- b) The Board will provide a model format for letters of agreement.

§202.4. Tenure

202.4. Policy Ordinarily, tenure for associate pastors shall be five years. However, in the letter of agreement a term of three, four or five years may be agreed upon. Extensions may be granted by the Board, if the pastor and associate pastor both request it. Ordinarily, even with extensions, seven years shall be the maximum tenure for an associate pastor.

§202.5. Mid-Year Request for Associate Transfer

202.5. Policy An Associate Pastor may request a transfer from the Board. The Board shall make a decision concerning the mid-year transfer using the following procedures.

Procedure

- a) The Associate Pastor's case for transfer is presented to the Board. The Associate will be asked to state his reasons for the transfer. If the

Board judges there are sufficient reasons for a transfer, the case proceeds.

- b) The Associate is asked to speak to his Pastor about the proposed transfer and report the results to the Board.
- c) When the Board learns that the Associate has spoken to his pastor about his transfer, a Board member will contact the Pastor and offer him the opportunity to discuss the matter.
- d) If the Pastor agrees that a transfer should take place in midyear, the Board makes such a recommendation. If the Pastor opposes the transfer, his reasons are brought to the entire Board.
- e) After hearing the Associate Pastor and Pastor, the Board will make a judgment about the proposed transfer.

§203 PLACEMENT OF THE NEWLY ORDAINED IN PARISHES

This section of policies and procedures must be used in conjunction with section 202 for the placement of the newly ordained in parishes.

§203.1. Conference with Deacons

203.1. Policy The Seminary shall meet with each Deacon to review his Seminary career and discuss the focus of his first assignment.

Procedures

- a) The Seminary and Deacon will highlight the gifts and strengths each Deacon brings to ministry as well as areas that remain cutting edges.
- b) The Deacon will complete a personnel application form.
- c) The results of this conversation, as well as the application form, will be forwarded to the Board.

§203.2. Selection of Parishes for Placement of the Newly Ordained

§203.2.1. Identification of Parishes

203.2.1. Policy The Board shall review possible parishes for the placement of the newly ordained.

Procedures

- a) Prior to their selection discussions, the Board shall have sent the expectations to the parishes being considered. Thus, parishes who indicate interest in newly ordained will be aware of what is asked of them.
- b) The Board will try to select parishes in light of the needs for priestly personnel as well as the specific requirements for a newly ordained. The Seminary will alert the Board to particular talents in the class, (e.g., language ability).
- c) The Board will select at least twice the number of sites as there are newly ordained.

§203.2.2. Meeting with Parishes

203.2.2. Policy The Seminary and Board shall meet with the parishes identified in §203.2.1.

Procedures

This meeting, normally held in January, will allow the expectations of the newly ordained to be fully explained and will give parishes an opportunity to ask questions, and/or withdraw without "penalty" from the newly ordained process.

§203.2.3. Finalized List of Parishes

203.2.3. Policy The list of possible parishes shall be finalized and submitted to the Archbishop for his approval. Following his approval, the list shall then be presented to the seminary representative and the Board to begin the discussion of matching the newly ordained with parishes.

§203.3 Placement Process

203.3. Policy The Board and appropriate members of the seminary faculty shall make recommendations as to which candidate in the newly ordained class will be recommended to the parish that would appear to best meet his needs.

Procedures

- a) After these recommendations have been finalized, the newly ordained's Board contact will inform both the newly ordained and the pastor of this recommendation.

- b) In early February, the newly ordained will meet with the pastors and their staffs to determine if the recommendation is viable.
- c) The Board will meet with representatives of the seminary faculty to review the meetings between the newly ordained and the parish.
- d) In the case where either the pastor or the newly ordained is not supportive of the recommendation, further parishes will be suggested.

§203.4. Final recommendations and Approval by the Archbishop

203.4. Policy After consultation with the Board, the final recommendations of the Board shall be submitted to the Archbishop for appointment of an associate pastor.

Procedures

When the Archbishop has approved the assignments, the Board contact person will communicate with the pastor and newly ordained. The newly ordained and pastor will have a final consultation. If at this time there are reservations, they must put these in writing and submit them to the Board. The Board will make the final recommendation.

§204 REVIEW PROCEDURE FOR THE NEWLY ORDAINED

§204.1. First Year Review

204.1.1. Policy In February of the first year of a newly ordained's assignment, the Office of Misisterial Evaluation shall conduct a review of that assignment.

Procedures

- a) The review will be an "in-house" check. The primary focus of the review will be to allow the newly ordained to receive feedback from the parish staff and vice-versa.
- b) The results of the review will be communicated to the parties involved by the end of February.

204.1.2. Policy The preferred assignment for a newly ordained would be five years at the same parish. This would provide ample time for the newly ordained to be absorbed into parish life. However, circumstances may dictate two assignments within the five years in order to provide the opportunity to participate in two different experiences with two pastors prior to becoming a pastor.

Procedures

- a) If serious issues surface during an assignment, the newly ordained or pastor should contact the Episcopal Vicar. The Episcopal Vicar will explore the issues.
- b) The Episcopal Vicar may chose to consult with appropriate sources such as the Vicar for Priests and/or Priests Placement Board.

§204.2. Second Year Review

204.2. Policy In January of the second year, the Board shall conduct a discernment process:

- (1) They shall ask the pastor “Should this associate remain?”
- (2) They shall ask the associate, “Do you wish to remain?”

If the answer is affirmative, the associate shall continue to the completion of his term. If the answer is negative, on one or both sides, the Board shall explore the issues and make a final decision by the end of January.

§204.3. Leaving an Assignment Without Prejudice (Keep as is.)

204.3. Policy After two years, a priest may leave an assignment without prejudice.

Procedure

If a priest leaves before the completion of his first assignment the Priest Placement Board will determine his next assignment.

§205 PLACEMENT OF DIOCESAN PRIESTS IN AGENCIES

205.1. Policy Under certain circumstances, the Archbishop may assign priests to Pastoral Center agencies and departments.

Procedures

a) Circumstances

- 1) when the position is linked to the spiritual formation of future diocesan priests;
- 2) when the position requires a priest by canon law;
- 3) when it is the expressed preference of the Archbishop, or for good pastoral reasons;
- 4) when the presence of a priest serves a genuine symbolic value;
- 5) when the availability of other qualified personnel is limited;
- 6) when the pastoral service of specific populations require it;

b) Consultation

- 1) the department director and representatives of the Agency assess their personnel needs and formulate position descriptions.
- 2) the department director and/or agency director make a presentation of these needs to the Archbishop, the Vicar General, Chancellor and the Board.

c) Verification

- 1) When the Archbishop decides that a need is justified, permission is given to the Board to put the available position on Open Listing.

d) Notification

- 1) The Board will notify the priests of the Archdiocese of available open positions. Upon request, the Board will supply a position description to those interested.

§205.5. Application

205.5. Policy Priests interested in specific positions shall submit to the Board a completed application form within 17 days of notification.

Procedures

- a) Representatives of the Department/Agency screen all the applicants.
- b) Each written application is carefully considered.
- c) Personal interviews are arranged for those considered qualified.
- d) The Department/Agency may also encourage other qualified persons to make written application.
- e) The department director and the Board discuss the final slate of recommendations.
- f) The department director and representatives of the Priests' Placement Board present the recommendations to the Vicar General, Chancellor and the Archbishop.

§205.6. Appointment

205.6. Policy After consultation with the Board, the Archbishop shall make the appointment of Diocesan Priests in agencies/departments.

205.7. Policy As a general rule non parochial assignments are for three-year terms which may be renewed.

§206 RESIDENTIAL PLACEMENT OF PRIESTS IN NON-PAROCHIAL ASSIGNMENTS

Parochial involvement is a value of priestly life, and some involvement in parochial ministry is expected of diocesan priests in full-time, non-parochial assignments.

§206.1. Placement Process

206.1. Policy The Board shall provide a priest who is looking for a residence with a number of possible residences. The Board shall approve the residence using the following procedures.

Procedures

- a) With the assistance of the Board, the priest will find a pastor who is agreeable to his residency. They shall sign a letter of agreement, setting forth their mutual expectations. The agreement must be signed by both parties and sent to the Board for approval.

- b) Upon approval by the Board, the agreement will be kept in the priest's personnel file.

§206.2. Tenure

206.2. Policy Ordinarily, tenure for residents shall be five years. However, in the letter of agreement a term of three, four or five years could be agreed upon. Extensions may be granted by the Board if the pastor and resident both request it. Ordinarily, even with extensions, seven years shall be the maximum tenure for a resident.

§207 PLACEMENT BOARD REVIEW PROCESSES

207.1. Policy The Board shall meet on a regular basis with the Archbishop and the Director of Personnel Services to review all assignment processes for all diocesan priests.

§208 PLACEMENT OF CANDIDATES FOR LICENTIATE IN (SYSTEMIC) SACRED THEOLOGY

§208.1. Assignment Process

208.1. Policy S.T.L. candidates shall follow a similar assignment process as other newly ordained. The focus of their assignment shall differ however. They should begin their assignment the second weekend of March.

§208.2. One Year of Study

208.2. Policy This placement is "terminal" - i.e., only for the year of study. S.T.L. candidates are expected to be a full time student with residence on campus Monday through Friday. Weekends will be used for parish ministry with residence in the parish. They are considered as residents - their salary shall be paid as such. Parish shall pay Mass stipends. Advanced Studies shall provide salary and auto insurance.

§208.3. Completion of Studies

208.3. Policy They shall complete their year of study in June and then be assigned as newly ordained.

§208.4. Possibility of Remaining

208.4. Policy It might be possible for them to remain in their "terminal" assignment. However, there must be need; the Board and parish must be open. It is the ordinary expectation they will seek another assignment.

§208.5. Participation in Newly Ordained Program

208.5. Policy As newly ordained, they shall be expected to participate in the newly ordained program.

§209 URBAN APOSTOLATE

209.1. Policy Within fifteen years of Ordination, a priest is expected to accept an assignment to serve in the Urban Apostolate. Priests who do not fall within the scope of this proposal shall be asked by the Board to give serious consideration to the Urban Apostolate's needs in the Archdiocese.

Procedures

- a) "Urban Apostolate" means a ministry in parishes ministering to the African American Community, the Spanish-speaking community, other ethnic communities with special language or cultural needs, an economically deprived community, or a racially, culturally, or economically changing community within the Archdiocese of Chicago.
- b) In general, each priest is be "expected" to serve in the Urban Apostolate. However, there may be exceptions based on personal evaluation and/or evaluation by the Board.
- c) Education programs, sponsored by the Center for Pastoral Ministry in cooperation with the Board, will be available for priests exercising ministry in the Urban Apostolate.
- d) "Assignment" means the normal five year period of ministerial service allowing the usual reasons for abbreviation and extension.

§300 APPOINTMENT OF PASTORS

Introduction

The Pastor is an ordained priest called and sent by the Diocesan Bishop to exercise the pastoral care of the community entrusted to him under the authority of the Diocesan Bishop, in whose ministry of Christ he has been called to share. He possesses the special responsibility of overseeing the Catholic community within a specific locale or for a specific group. The Pastor is responsible for the growth and development of a particular Catholic parish in response to the needs of a community and the mandate of his Bishop and in conjunction with a pastoral staff who minister with him. Through the leadership of the pastor, characterized by service in the manner of Jesus, the various ministries of the parish are coordinated. The Pastor carries out for his community the duties of teaching, sanctifying, and governing, with the cooperation of other priests or deacons and the assistance of men and women religious and lay members of the Christian faithful.¹

§301 IDENTIFICATION OF OPEN PARISHES AND PASTOR CANDIDATES

§301.1. Annual Pastor Placement Cycle

301.1. Policy Each pastor's assignment ordinarily shall conclude at the end of the day on June 30 of the fiscal year in which his term of assignment is scheduled to expire or his resignation is accepted due to retirement or some other reason. New pastors' assignments ordinarily shall begin at the start of the day on July 1 unless provided otherwise by the Archbishop.

Procedures

In case of the death or unexpected departure of a pastor, a priest normally will be appointed temporary Parochial Administrator until a new pastor is appointed on July 1 following the pastor's death, unless the Archbishop determines that pastoral need requires him to appoint a pastor sooner, outside of the annual pastor placement cycle.

§301.2. Parish Pool

¹ Cf. Vatican Council II, *Christus Dominus* 30, and the *Code of Canon Law*, canon 519.

301.2. Policy The Episcopal Council and the Priests' Placement Board (hereinafter "Board") shall assess anticipated parish vacancies and advise the Archbishop of open pastorates for inclusion in the Parish Pool, unless in his judgment, the circumstances of a particular parish raise a question about the continued viability of the parish or the circumstances require direct appointment by the Archbishop.

Procedures

- a) Normally, an opening of a pastorate position occurs after the death, retirement, or accepted resignation of a pastor, the expiration of a pastor's term of office, or the transfer of a pastor.
- b) Planning for anticipated openings of pastorate positions due to term expiration or retirement will begin at least two years in advance of the term expiration or retirement date.
- c) The Episcopal Council and the Board will consult with the Office of Research and Planning if there is some question about the future viability of a given parish.
- d) The ordinary expectation is that a pastor will continue for a second term unless there are significant issues and/or the pastor prefers to transition earlier. It is also expected that the pastorate will not extend past the end of the second term unless there are exceptional circumstances (see § 304). Requests for second terms and any additional extension must be made before the established deadline of the year prior to that in which the first term expires.

§301.3. Pastor Pool

301.3. Policy The priest applicant pool for open pastorates in any given cycle year shall consist of the following:

- Pastors whose second term will expire at the end of the cycle (June 30);
- Associate pastors who have adequate experience and are ready to be pastor; and
- Priests currently in other roles who are capable of serving as pastor.

Procedures

- a) Application. Priests can join the applicant pool by completing all pastor application paperwork and by filling out a specific intention to enter the applicant pool. Forms must be received prior to the established deadline in each year. Members of the Episcopal Council and Board may also encourage priests to join the applicant pool if these priests do not submit intention forms themselves.

- b) Acknowledgement. When a priest writes to the Board to join the applicant pool, his letter is acknowledged and a Pastor Application Form and Curriculum Vitae is sent (if he has not already filed one.) This form will ask him to list his previous ministerial experiences and accomplishments, as well as his attitude toward rectory life, parish life and extra-parochial involvement. He also will be asked to list names of individuals who can provide "letters of recommendation". In addition, the Board may consult with present or former co-workers of the applicant.
- c) Letters of Recommendation for First-Time Pastors. The letter of recommendation will ask for a short description of:
- 1) The nature of the relationship to the applicant;
 - 2) An estimation of the applicant's sense of responsibility, commitment, initiative, ability to relate to priests and people, administrative ability, his particular strengths for assuming the pastorate, and any areas of concern; and
 - 3) Degree of recommendation, e.g., recommend enthusiastically, without hesitation, with qualifications, or do not recommend.
- d) Existing Pastors prior to end of term. Pastors whose terms are not schedule to expire also can enter the applicant pool in any given year. The parishes of these pastors automatically will be added to the available parish list for that year.
- e) Sabbaticals. Priests will be requested not to schedule sabbaticals during a year in which they will be part of the pastor pool or, if they are currently serving as pastors, during the year in which their parishes will be part of the parish pool.

§302 PLACEMENT OF PASTORS

§302.1. Consultation

302.1. Policy In order to develop a profile of the parish, a consultation with parishioners, parish staff and others shall be completed in a timely fashion (cf. c. 524).

Procedures

- a) Contact. Contact will be made with the outgoing pastor or the temporary administrator and the placement process is explained. A member of the Board will schedule a personal discussion with the parish staff. The Episcopal Vicar will schedule the general parish consultation meeting.

- b) Follow-Up. A follow-up letter will be sent to the outgoing pastor (or temporary administrator) asking the names of people to whom the Board will send "Letters of Consultation." A parish checklist asking for pertinent parish statistics will be included with this letter.
- c) Letters of Consultation will be sent to:
- 1) The Vicar and Dean
 - 2) The present Associate(s) and other Priests living in the rectory
 - 3) The Presbyteral Council Representative
 - 4) Deacons, Religious, the Principal of the parish school, the Director of Religious Education, and lay ministers on the parish staff
 - 5) The Presidents/Chairpersons of the Parish Pastoral Council, School Board, the Religious Education Board, and the Finance Council Chair
 - 6) The Presidents/Chairpersons of the major lay organizations of the parish
 - 7) Other significant parishioners suggested by the pastor or administrator.
- d) Pastoral Staff Meeting. At this meeting, members of the staff will be asked to describe the goals and challenges of the parish and to discuss the qualities that they see as important for the next pastor to possess.
- e) General Parish Meeting. At this meeting parishioners will be asked to describe the parish, what they think the parish needs and the qualities that the new pastor will need. The open meeting will be followed by an opportunity to provide written comments.
- f) Parish Profile and Parish Information Night. Using the information obtained from the parish staff meeting and at the general consultation meeting, a parish profile will be formulated and provided to interested priests at the Parish Information Night. The profile also will contain reports from the Office of Research & Planning, the Department of Financial Services, the Office of Catholic Schools, the Office for Catechesis, and the Office for the Diaconate Community.
- g) Background Review. The Executive Secretary of the Board will submit the names of all priests in the Pastor Pool to the Vicars for Priests, the Chancellor and the Vicar General to determine whether each individual can be considered for the office of pastor.
- h) Priest Preferences. The assignment of priests is primarily driven by the mission of the archdiocese. However, priest preferences will be factored into the process as follows:

- 1) Priests will be given the opportunity to state parish preferences (i.e., general types of parishes in which they are interested and specific parish names).
 - 2) Each priest in the Pastor Pool will be able to meet with a member of the Episcopal Council and a member of the Board to discuss his preferences as well as his background and skills.
- i) Seniority. In cases where all things are equal, preference ordinarily will be given to the applicant's seniority according to years ordained and years served as pastor. Existing Pastors ordinarily will receive preference for placement within a given cycle.

§302.2. Annual Pastor Placement Meeting

302.2. Policy The Episcopal Council, consisting of the Archbishop, his Vicar General and the regional Episcopal Vicars (§102.2), and the Vicars for Priests shall meet annually with the Board to discuss and recommend new pastor placements to the Archbishop.

Procedures

- a) The Annual Pastor Placement Meeting normally will take place over one to two days in late January or early February of each year. A follow-up meeting should be scheduled a week later to review the status of any pending placements.
- b) The Board and the Episcopal Council also will meet approximately every other month to assess current cycle status and to plan for upcoming needs.
- c) The Board will meet prior to the Annual Priest Placement Meeting to formulate recommendations for new pastors.

§302.3. Appointment by the Archbishop

302.3. Policy The Archbishop shall make the appointment of a pastor upon recommendation of the Episcopal Council and the Board following the Annual Priest Placement Meeting. Under exceptional circumstances, the Archbishop may make a direct appointment by consulting only with the regional Episcopal Vicar and the local Dean. (See Canons 157 and 523-24.)

Procedures

- a) Call to Service as Pastor. After the Archbishop has approved the appointment, the Episcopal Vicar of the parish to which the new

pastor is being assigned will call the new pastor and the outgoing pastor or administrator.

- b) Priests not Receiving a Pastorate. A member of the Board or Episcopal Vicar (as determined at the Annual Pastor Placement Meeting) will contact each priest in the Pastor Pool who will not receive a pastorate in that cycle to inform him and to discuss why he was not appointed pastor and any other issues related to his application.
- c) Ongoing Formation and Preparation. During a preparation period (e.g., March to June) prior to July 1, the Office of Ongoing Formation of Priests will coordinate a pastor retreat and any appropriate training programs.

§302.4. Six Year Term

<p>302.4. Policy Pastors shall be appointed for a six year term of office.²</p>

§303 RENEWAL OF SIX YEAR TERM

<p>303.1. Policy After an evaluation process in the fifth year of a pastor's first term, the Board and the local Episcopal Vicar shall make a recommendation to the Archbishop on whether a pastor's appointment should be renewed for another six-year term. The evaluation process shall include assessment of the pastor's skills as a spiritual leader, as well as his cooperation with any required audit(s) and best practices, submission of annual budgets and periodic reports, payment of the parish's Archdiocesan assessments, and compliance with pertinent policies and procedures regarding the establishment and effective functioning of a Parish Finance Council and Parish Pastoral Council.</p>
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Procedures

- a) Pastor Intention. By the deadline set during the fifth year of his first term, the pastor will send a letter to the Executive Secretary of the Board stating his desire to be renewed for a second term as pastor or his intention to enter the pastor candidate pool for the upcoming cycle. If the pastor chooses to enter the candidate pool, the parish at which he is serving automatically will become an open pastorate within the same placement cycle. (See § 303.2)

²An Indult was received from Rome dated March 22,1973, that gave the Diocesan Bishop "faculties" for making future appointments of pastors for a term of six years, renewable for additional six year terms. After the revision of the Code of Canon Law (1983), The National Conference of Catholic Bishops received approval to continue this policy on Terms of Office. Confer Senate Bill No. 72-55 and 72-43.

- b) Evaluation Report. The first term review is conducted according to the process outlined in §802 *Review of Pastor's First Term*.
- c) Letter of Support. Before the end of the fifth year, the Board will request a letter of support from the Episcopal Vicar and Dean.
- d) Recommendation to the Archbishop. The Board will forward its recommendation to the Archbishop with regard to the possible renewal of the pastor's term of office, taking into account the evaluation report and the letters of support.

§304 COMPLETION OF SECOND TERM

§304.1. Policy Ordinarily, a pastor will serve no more than two consecutive six-year terms as pastor in a specific pastorate.

Procedures

Upon completing his 12th year as pastor in a specific parish, a pastor will be expected to accept a new assignment. With the advice of the Episcopal Council and the Board and under exceptional circumstances, the Archbishop may renew the term for a full six years or allow it to extend for a shorter period in accord with canon 186. While not sufficient to result in an automatic extension, the following factors may be adequate reasons to consider a waiver of the ordinary policy:

- a) Parish Situation. Unique circumstances in the life of a parish.
- b) Age. A pastor who will be age 64 or older at the time of completion of his second term as pastor.
- c) Cultural Needs. Foreign language proficiency, cultural awareness, and other ethnic, racial or cultural considerations.
- d) Special Project. A special project within the parish, such as a fund drive that is about to be started or is already in progress, the construction of a new building, etc. In these instances, consideration ordinarily will be given to extending the term for a specified period of less than six years.
- e) Health. A particular health problem of the requesting pastor.

§305 RESIGNATION OR REMOVAL OF PASTOR CALLED TO EXTENDED ACTIVE MILITARY SERVICE

306.1. Policy Because a Pastor is obliged to residency in his parish per canon 533, for the good of the people of the parish and to provide for their stable pastoral care, a Pastor who is called up to extended active military service for more than six continuous months shall resign his pastorate in accord with canon 538, §1. Upon his return to the Archdiocese from extended active military service, he will be eligible for placement in the pool for open pastorates.

§400 PRIESTS' RESIDENCE

§401 ORDINARY ARRANGEMENT

401.1. Policy Priests shall live in the housing provided by the parish or institution to which they are assigned.

§402 EXCEPTION FOR SERIOUS REASONS

In certain circumstances, serious reasons relating to a priest's personal life or ministry may compel him to petition for an alternate residence. In regard to such situations, it is important to note the observations of the Bishops' Committee on Priestly Life and Ministry document, "The Priest and Stress":

A priest's working conditions are also important. They should be such that his work space and living space are separated. Some diocesan priests find living in community with other priests uplifting. In certain situations, it may be valuable for priests of an area, each of whom is living alone, to explore the possibility of a common residence.(p. 17)

With regard to a priest's living conditions, a diocese should explore other possibilities in order to eliminate abuses, provide support, and give spiritual witness to the local church.(p. 21)

The priestly profession is one that must work within an ecclesial community that is sometimes polarized. Sometimes, vastly differing notions of faith, ecclesiology, law and ministry are to be found within the same rectory. This is a cause of tension, especially when the individuals must not only work together, but share common living arrangements.(p.9)

402.1. Policy A priest shall have the opportunity to petition his Episcopal Vicar for an alternate residence.

Note

In the case of a priest working full-time for an agency or institution, the priest would present his request for alternate residence to the Priests' Placement Board and the Department Director.

402.2. Policy The Episcopal Vicar is authorized to approve another ecclesiastical residence for a parish priest after consulting other parish priests involved. Part of this consultation shall be a contract between the priest who is going to live elsewhere, the pastor, and other parish priests regarding mutual responsibilities.

§403 REMUNERATION

403.1. Policy After the Episcopal Vicar has approved an ecclesiastical residence for a parish priest, other than the parish to which he has been assigned, the parish to which he has been assigned has certain financial obligations to the parish in which the priest lives. The parish to which the priest has been assigned will pay the parish in which the priest lives the same amount which the Priest Retirement and Mutual Aid Association pays to a parish which houses a retired priest who did not retire from the parish.

§404 NON-ECCLESIASTICAL RESIDENCE

404.1. Policy Living in a non-ecclesiastical residence should be available only in special circumstances requiring the approval of the archbishop.

404.2. Policy It is the presumption that this approval will be granted only under the most special circumstances. When the Archbishop has given his approval for a priest to live in a non-ecclesiastical residence, the parish or agency to which the priest is assigned will pay for the priest's board. The amount of the board payment will be the same amount which the Priest's Retirement and Mutual Aid Association pays to a parish which houses a retired priest who did not retire from that parish. With the Archbishop's approval the parish or agency to which the priest is assigned will pay the rent and/or assessments on the priest non-ecclesiastical residence. If the non-ecclesiastical residence is a property owned by the priest or a member of the priest's family, the parish or agency to which he is assigned will not be responsible for its mortgage payments.

404.3. Policy If the Archbishop grants a non-retired priest permission to live in a non-ecclesiastical domicile because of health reasons or some other special need, financial arrangements will be determined by the Vicars for Priests and Priest's Retirement and Mutual Aid Association.

§405 POLICY REVIEW

405.1. Policy Section 400 shall be reviewed by the Deans and Presbyteral Council every three years.

§500 PRIESTLY DEVELOPMENT

§501 SPIRITUAL DEVELOPMENT

501.1. Policy Each priest shall expected to make an annual retreat.

Procedures

- a) Reimbursement for annual retreats is available from the clerical benefits package. (See §600, *Salary and Benefits Schedule for Diocesan Priests*)
- b) The Department of Ministry Formation, through the Cardinal Stritch Retreat House, offers retreats and days of recollection, and will also advise priests of other retreat opportunities.

§502 FRATERNAL SUPPORT

502.1. Policy In addition to a priest's normal time off, he shall be entitled to one day off per month (including overnight) to meet with his fraternal support group.

§503 PROFESSIONAL DEVELOPMENT

§503.1. Resources

503.1. Policy The Center for Development in Ministry shall coordinate resources for ongoing ministry formation.

Procedure

The Center for Development in Ministry will provide a process by which ministers can identify a personal path for development which takes into account their gifts and the Church's ministerial needs.

§503.2. Time

503.2. Policy In addition to one week for an annual retreat and one month for a vacation, each priest shall be entitled to one week per year from his assignment for purposes of professional development. (See §600, *Salary and Benefits for Diocesan Priests*)

Procedures

Every active priest should engage in professional development. This includes all of the fields of knowledge and all of the skills which pertain to his priestly work

§503.3. Allowance

503.3. Policy The ministerial expenses account for priests shall be provided in the benefits package. This allowance includes retreat, professional growth and other ministerial expenses. (See §600, *Salary and Benefits for Diocesan Priests*)

Procedures

- a) The ministerial expenses account for priests to cover retreat and professional development is part of the benefits package. The stipend for professional development for parish priests should be enough for retreat, professional reading, professional equipment, seminars, conferences. The stipend will be consistent with the professional growth allowance range established for various other groups of ministers in the Archdiocese.
- b) A scholarship allowance is also available to diocesan priests pursuing advanced study while in their assignment. Applications are available through the Center for Development in Ministry.

§503.4. Accountability

503.4. Policy The individual priest shall be responsible to inform his Dean and, in the case of a diocesan priest, the Diocesan Priests' Placement Board, regarding his ongoing formation and retreat.

Procedures

- a) This accountability policy will afford the occasion for personal attention. To gain the full benefit of ongoing development programs, there must be some conversation on the connection between priestly

performance and professional development. The Dean will be able to highlight this pastoral connection.

- b) Continuing education and retreat formation will be significant components in the appraisal process of Pastors and Associates.

§503.5. Annual Review

503.5. Policy The Department of Ministry Formation shall review the professional development for priests' program annually.

§504 PASTOR AND ASSOCIATE PASTOR RELATIONSHIP

504.1. Policy The Department of Personnel Services, through the Center for Development in Ministry, shall offer programs for pastors and associate pastors to enable them to be more effective in their relationships with one another.

§505 SABBATICAL PROGRAM

505.1. Policy All diocesan priests incardinated in the Archdiocese and ordained for at least seven years shall be eligible for a sabbatical every seven years.

Procedures

- a) All priests should be encouraged to take a sabbatical when they qualify.
- b) Applications for sabbaticals are available from the Center for Development of Ministry ("CDM"). Program evaluations and other site information may also be obtained at CDM. A CDM advocate is available for an interview, for assistance in creating a proposal, and for site registration procedures.
- c) The Sabbatical Board has three criteria for a sabbatical. An overall plan is expected to include, 1) a 2/3 structured program, 2) spiritual renewal, and 3) some free time.
- d) Applications are considered in the order in which they are received. They must be received at least 4 months prior to the date when the sabbatical begins.

- e) Pastors should submit an application with an enclosed letter of acknowledgment from the local dean supporting his decision.
- f) Associates should submit an application with the enclosed letter of acknowledgment signed by the pastor or director of the agency/institution to indicate that: 1) the proposed sabbatical's implications have been discussed at the parish or agency level and, 2) salary will be continued while on sabbatical unless the parish is on subsidy.
- g) The sabbatical ordinarily lasts 3-6 months.
- h) Tuition, room and board costs or their equivalent are paid by the Archdiocese through the Center for Development in Ministry. Transportation costs are paid by the individual. Salary is paid by the parish/institution last employing the priest before the sabbatical begins, unless the parish is on Archdiocesan subsidy.
- i) A sabbatical is for priests in active ministry and applications from retirees would only be considered if their program were going to be within the first three years of retirement.
- j) Upon return the priest in transition is to contact the Placement Board and is expected to take a temporary assignment until his permanent assignment is designated.

§506 HEALTH PROGRAM FOR PRIESTS

The Health Program for Priests is available to assist priests of the Archdiocese of Chicago to live holistic lives.

The Health Advisory Committee serves as an advisor to the Vicars for Priests Office and to the health office of PRMAA (Priest Retirement and Mutual Aid Association) on issues affecting the health and well being of the Chicago Archdiocesan Priest. The committee discusses the health needs of the priests and then directly determines and implements the methods, surveys, programs, resources, referrals, education and any other means to meet these health needs. A Vicar for Priests co-chairs the committee.

The following services are presently available for the clergy of the Archdiocese of Chicago.

A. Physical Health.

Health insurance is provided to each priest of the Archdiocese of Chicago. Yearly physicals are encouraged.

B. Spiritual Direction

Priests should call the Vicars for Priests office for referrals to spiritual directors who are qualified and have been recommended.

C. Behavioral Health Program

To begin referral service for behavioral assessment and treatment priests should call the Vicars for Priests office. Referrals are then made to a pool of behavioral specialists, lay, religious, men, women, in group or private practice who provide a full spectrum of behavioral health services.

§600 SALARY AND BENEFITS FOR DIOCESAN PRIESTS

§601 ANNUAL SALARY SCHEDULE

§601.1. Base Salary

Pastors, Administrators, Department Directors and Agency Directors

A base salary for these positions is provided by the parish or Pastoral Center, the amount to be published in the *Annual Compensation Guidelines for Lay Employees, Men and Women Religious, and Diocesan Priests Working in Parishes*.

Associate Pastors and Priests serving in Pastoral Center Agencies

A base salary for these positions is provided by the parish or Pastoral Center, the amount to be published in the *Annual Compensation Guidelines for Lay Employees, Men and Women Religious, and Diocesan Priests Working in Parishes*.

§601.2. Seniority Increment

(\$110 for each year of ordination.) There is an annual seniority increment added to the base salary for pastor, associate pastor and non-parochial positions. The annual increase in one's seniority increment begins with the check for July.

§601.3. Stipends and Stole Fees

All stipends and stole fees are to be turned over to the general parish account. Each priest may receive his actual Mass stipends or he may elect in writing to assign his Mass stipends to the parish and instead receive \$300 per month. Whichever choice the priest makes, it is operative for the entire fiscal year. If a department or agency pays \$300 per month for stipends and stole fees, stipend and stole fees received by the priest must be turned in to that department or agency.

§601.4. Additional Remuneration

If a parish has an annual average of sixty or more weddings and/or funerals per year, the pastor and each associate pastor is to receive an additional \$100 per month.

§601.5. Resident Priests

To resident priests who assist the parish, the parish will provide \$1,200 per year, payable directly to the priest at the rate of \$100 per month. The parish is responsible for room, board and meal allowance for resident priests.

Procedures

The resident priest and the pastor of the parish at which he resides shall have a written agreement detailing the assistance the resident shall provide the parish.

§601.6. Meal Allowance

When a prepared main meal is not provided by the parish, an allowance for that day is given to each priest, the amount is published in the *Annual Compensation Guidelines for Lay Employees, Men and Women Religious, and Diocesan Priests Working in Parishes*.

The parish is responsible for room and board for each priest who resides in the parish rectory. When a main meal is not provided by the parish, an allowance is given to each priest residing at the rectory. The amount is published in the “Annual Compensation Guidelines for Lay Employees, Men and Women Religious and Priests Working in Parishes.” If a main meal is provided but the priest chooses not to partake of that meal, he is not entitled to the amount for that day. The meal allowance is not for days off or days away from the parish, such as professional development days. Monthly amount is determined by the Vicariate Administrative Consultant.

§602 BENEFIT SCHEDULE**§602.1. Health Insurance**

Diocesan priests are eligible for individual health insurance or participation in one of two HMO's through PRMAA.

§602.2. Life Insurance

A death benefit of \$5,000 is provided to diocesan priests. Each priest shall submit a designated beneficiary to PRMAA.

§602.3. Dental Insurance (optional)

Dental benefits are available through either a conventional dental insurance plan or a dental HMO. Enrollment is optional, and all premiums for this coverage is at the individual's expense.

§602.4. Auto Insurance

Diocesan priests are entitled to auto insurance on one automobile through the Archdiocesan group plan. Additional vehicles may also be insured at the individual's expense.

§602.5. Pension Plan (Defined Benefit Plan)

A non-contributory pension plan is provided.

§602.6. Defined Contribution Plan (403B)

Priests may supplement pension benefits through a voluntary salary reduction program. Contributions are exempt from state and federal income taxes but are included for SECA.

§602.7. Holidays

The holiday schedule is locally administered.

§602.8. Vacation

Priests are eligible for up to one month of vacation each year, per Canon Law (c. 282.2, 533.2, 550.3).

§602.9. Ministerial Expenses Account for Those in Active Ministry

A yearly ministerial expenses allowance is available on a reimbursable basis.

§602.10. Retreat

Priests are eligible for up to one week of religious retreat per year. The cost of the retreat may be paid from the Ministerial Expense Account.

§602.11. Professional Liability

The Archdiocese of Chicago provides professional liability insurance for its diocesan priests.

§602.12. PRMAA and Priests Not Serving in a Parish

Priests not serving in a parish, school or agency of the Archdiocese are expected to have their employer cover the cost of health insurance and pension contribution. Health insurance can be covered either by the employer placing the priest in its health plan or by sending a monthly premium to PRMAA to keep the priest on the Archdiocesan plan. The pension contribution is made to PRMAA.

A priest not serving in a parish, school or agency of the Archdiocese is not eligible to contribute to the Archdiocesan Defined Contribution Plan while employed outside the Archdiocese. A priest can participate in his employer's plan if he becomes eligible.

A priest can either participate in the Archdiocesan dental plan by paying his individual premiums or can enroll in coverage provided by his employer.

Auto insurance is the responsibility of the priest. This cost should not be kept in mind when negotiating for the position the priest is seeking.

§603 COMPENSATION FOR DIOCESAN SUPPLY PRIESTS

§603.1. Weekday Mass Assistance

The ordinary offering for Mass is \$10. If an additional amount is requested for expenses, an agreement is to be reached with the individual pastor.

§603.2. Sunday and Holy Day Assistance

For one Mass or two Masses, \$60 (not including stipend).

§603.3. Confessional Assistance

Honoraria negotiated.

§603.4. Missions/Talks/Retreats

Honoraria negotiated.

§603.5. Additional Assignments

Honoraria as determined by agency.

§603.6. Part-Time Agency Positions

Priests serving part-time for a diocesan agency are to be compensated by the agency. The amount of compensation for the part-time position, paid by the agency, is to be deducted from the salary paid by the parish of assignment. A Letter of Agreement should be prepared and signed by the agency director, pastor, and priest working in the particular position.

§700 UNIFIED PRIEST PERSONNEL RECORD KEEPING POLICIES

Introduction

The purposes of the Unified Priest Personnel Record Keeping Policies and the Diocesan Priest Personnel File Access Procedures are two fold: 1) to insure that the Archbishop of Chicago and his designates are able to consider the complete record of a priest in making ministerial assignments; and 2) to safeguard the privacy rights of individuals.

The Unified Priest Personnel Record Keeping Policies take into account the administrative need of various Archdiocesan Agencies (e.g. Seminaries, Vicar for Priests, Chancellor's Office, Diocesan Priest's Placement Board, Archives) to compile and/or maintain records at their respective locus of operation, rather than at a central location. The Unified Priest Personnel Record Keeping Policies endeavor to standardize the retention of records, to provide access to those records, and to insure the systematic transfer of appropriate information to those Archdiocesan Officials who must make well-informed ministerial decisions within the framework of existing Archdiocesan Record Keeping Policies and Procedures.

All Agencies and Offices in the Archdiocese of Chicago that maintain personnel files on diocesan priests must have their files surveyed by the Vice Chancellor for Archives and Records. File groupings known as Record Series will be identified and titled; and the contents of those files described. Retention Periods for those Record Series will be established, taking into account federal, state, and/or canonical statutes or citations which may be applicable. Administrative use will also be considered when determining the appropriate retention period. A Retention Schedule will be created for each entity listing the Record Series, the content of each series, and the minimum time period it must be maintained. All Retention Schedules are submitted for approval to the Records Conservation Board (RCB). The Records Conservation Board consists of the Archdiocesan Director of Legal Services, the Chief Finance Officer or his designate, and the Vice Chancellor for Archives and Records. The RCB reviews all Retention Schedules for Legal and Fiscal considerations and takes into account the potential historical research value of the record.

The routing of information and the transfer of files will be documented by Transfer Forms and Request for Information Forms. Copies of those forms will be placed in the client's personnel files documenting the request. In order to insure consistency and forms control, all forms will be created by the Archives and Records Center.

The following policies and procedures are intended to safeguard the privacy rights of individuals and insure that the Archbishop of Chicago and his designates are able to consider the full record of a priest in making ministerial assignments.

§701 FILE MAINTENANCE

701.1. Policy All records related to the formation, placement and treatment of Archdiocesan Priests shall be maintained according to existing Archdiocesan Record Policies.¹

701.2. Policy All records containing personal identifying information shall be kept in a secure location.

701.3. Policy All recorded information gathered in the process of evaluating a candidate's fitness for ministry or placement within ministry shall be maintained for the duration of that candidate's ministry training and priestly ministry.

701.4. Policy Upon completion of ministry training, a summary of material information from the Rector's File and Formation File from Mundelein Seminary shall be sent to the Archbishop for review with the Chancellor, Vicar General and Vicar for Priests, along with a Certification Certificate signed by the Rector. The entire file shall be given to the Vicar for Priest and/or the Chancellor upon request.

701.5. Policy From the date the Unified Priest Personnel Record Keeping Policy is promulgated no record shall be permanently placed in a Diocesan Priests' Personnel File under the promise of confidentiality.

On December 17, 1987 the Cardinal's Cabinet approved the Archdiocesan Records Policy:

1. All records created by persons employed by the Archdiocese of Chicago during the course of their work are property of the Archdiocese of Chicago.

2. Records are defined as: All recorded information, regardless of media or characteristics, made or received and maintained in pursuance of its legal obligations or in the transaction of its business

3. The disposition (i.e. the transfer, destruction, filming or off site storage) of all records must be scheduled by the Records Center Department. Schedules must be approved by the Record Conservation Board.

§702 ACCESS TO FILES OF CANDIDATES FOR MINISTRY TRAINING AND ARCHDIOCESAN PRIESTS

702.1. Policy Access to personnel files of candidates for ministry training and Archdiocesan priests shall be governed by the following conditions:

- (1) In order to protect the confidentiality of those individuals named in the file, all personnel files shall be restricted from unwarranted access by individuals other than the Agency Director, those he/she designates necessary to maintain the records, the Archbishop, the Chancellor, the Vicar for Priests, and when the situation warrants, other persons as designated by the Archbishop (e.g. Archdiocesan Director of Legal Services, Fitness Review Administrator, Vice Chancellor for Archives and Records, etc.)
- (2) Archdiocesan priests and those in ministry training have a right to periodically review their files consistent with Archdiocesan Priest Personnel File Access Procedures.
- (3) Full and complete access to all Archdiocesan priests and candidates for ministry training personnel files, excluding those exempted by all legal privileges, shall be granted to appropriate civil authorities only when a court order, subpoena, or summons properly served through the Archdiocesan Director of Legal Services warrants such action.
- (4) The Archbishop may designate other Archdiocesan officials to receive priest personnel files, as needed on a case by case basis. These requests (from Archdiocesan officials) shall be accompanied by a letter from the Archbishop.

§703 FILES OF DECEASED PRIESTS

703.1. Policy All files of deceased priests shall be stored in the Archdiocese of Chicago's Archives and Records Center. All information related to discipline cases and matters of conscience shall be sealed within the files.

DIOCESAN PRIEST PERSONNEL FILE ACCESS PROCEDURES

The following procedures are designed to protect the privacy of the individual and the confidentiality of the record, while providing access to information to properly designated persons.

PROCEDURES FOR ACCESS

- a) The care and maintenance of diocesan priest personnel files are the sole responsibility of the Agency Head whose charge it is to maintain such records. He/she shall maintain those records consistent with the Archdiocese of Chicago's *Unified Priest Personnel Record Keeping Policies*. He/she must identify in writing those individuals charged with the daily care and maintenance of those records, and those individuals must be trained in all policies and procedures related to those records prior to granting access.
- b) Requests for personnel files by those appropriate Archdiocesan officials shall be in writing and a copy of the request shall be placed in the file.
- c) Request for review of an individual's own personnel file should be in writing and that request should be placed in the appropriate file. Access should then be given consistent with the following conditions:
 - 1) The individual should then be given access to the file without unnecessary delay, at a time mutually convenient to the individual and the person responsible for the records.
 - 2) The person responsible for the records should review the file prior to granting access. Access to material deemed "confidential" shall be governed depending on their date of creation:
 - A) Any material placed in the file prior to the effective date of these policies and procedures, with a promise or expectation of confidentiality must have the permission of the author before it can be disclosed. If the author of such confidential information does not grant permission for access or is not available to grant such permission, the document must be purged of all identifying information prior to disclosure in order to protect the promised or expected confidentiality.
 - B) After the effective date of these policies and procedures, no material shall be placed in any priest's file with a promise or expectation that the contents will not be shared with the subject of the material. Authors of written material who request such confidentiality shall be informed that the subject of the written material will be given access to the documents(s). If the author of the written material is not agreeable to granting such access, the document(s) shall be returned to the author. Exception: The Archbishop shall retain the right, however, to request confidential information or place confidential information in a priest's

file (sealed only for his authorized review) if such information pertains to a priest's suitability for an ecclesiastical office or ministerial position.

- 3) The individual cannot remove or alter any information in the file.
- 4) The individual cannot photocopy any portion of the record without permission of the person responsible for the records.

THOSE AUTHORIZED TO ACCESS PRIEST PERSONNEL RECORDS:

- a) The Archbishop, the Chancellor, the Vicar for Priests, and when the situation warrants, other persons as designated by the Archbishop (e.g. Archdiocesan Director of Legal Services, Professional Fitness Review Administrator, Legal Counsel, Vice Chancellor for Archives and Records, etc.)
- b) The Agency Head and those he/she designates to maintain the records.
- c) The individual whose name appears on the personnel file.
- d) Appropriate civil authorities only when a court order, subpoena, or summons properly served through the Archdiocesan Director of Legal Services warrant such action.

RIGHTS OF THE INDIVIDUAL

- a) The individual may submit a written comment or rebuttal to be included in the file. This comment or rebuttal may be written by the individual or someone at his request; it may serve to refute or give testimony that something exists in the file which the individual believes to be factually incorrect or subject to a different interpretation.
- b) The individual may take appropriate Canonical or Civil Legal action to remove any factually incorrect information in the file.

§800 REVIEW OF PRIESTLY MINISTRY

The purposes of a review of priestly ministry are twofold. The first purpose is to foster growth in ministry. In an effective review, the strengths of the priest are recognized and affirmed. Areas for growth are identified and a plan for building on strengths and developing skills is formulated and implemented. In addition, with knowledge of the strengths of a priest, the Priests' Placement Board is better able to match a priest with a parish or ministry which needs his gifts. A second purpose is to promote accountability. An effective review encourages the priest, the parish, and the Archdiocese to examine their role in living the Gospel imperative.

§801 REVIEW OF MINISTRY FOR ALL PRIESTS

801.1. Policy There shall be regular review of performance of ministry for incardinated¹ priests active in the Archdiocese.

Procedures

- a) Each incardinated priest (hereinafter referred to as “priest”) active in the Archdiocese shall participate in a Periodic Review of Performance of Ministry approximately every five years.
 - 1) Periodic Review shall consist of feedback from a representative group of persons familiar with and served by the priest’s ministry, such as staff, parish leaders, parishioners, colleagues, constituents.
 - 2) The Office of Ministerial Evaluation (OME) will initiate the first Periodic Review, taking into account length of time in the parish/ministry.
 - 3) The Episcopal Vicar sends a letter to the parish which is published in the bulletin. It describes the review process and indicates who will be formally consulted. It asks parishioners with a particular insight or concern to write to the Vicar directly.
 - 4) Upon completion of the Review, the Pastor/Associate Pastor, publishes a summary of Performance Plan (goals and objectives developed based on data collected) in the bulletin.
 - 5) Subsequent reviews will be initiated by the OME on a cyclic basis, approximately every five years, taking into consideration the date of assignment.
 - 6) The first Periodic Review after ordination will be scheduled after approximately 3 years in the parish/ministry to which the priest is assigned. Subsequent periodic reviews would be scheduled approximately every 5 years.

¹ Any priest permanently attached to the Archdiocese of Chicago.

- 7) Periodic Review reports will be available for use in the placement process.
- 8) The Priest's Placement Board will maintain a record of the Periodic Review process.
- 9) The appropriate Vicar shall approve exceptions.

§900 REVIEW OF PRIESTS AND THEIR PERSONNEL RECORDS PRIOR TO ASSIGNMENT, RE-ASSIGNMENT, OR NOMINATION

901.1. Policy Prior to assignment or re-assignment of an Archdiocesan Priest as Pastor, all candidates' names and assignment considerations shall be sent to the Vicar for Priests and the Chancellor for review. The Vicar for Priests and/or Chancellor shall inform the Archdiocesan Priests' Placement Board or proper authority responsible for the appointment if there is any pertinent information in a priest file which would then be relevant to his being given a particular assignment. As to any other assignment of an Archdiocesan Priest, the Vicar for Priests and/or Chancellor (in a timely manner) shall inform the Executive Secretary of the Archdiocesan Priests' Placement Board, or proper authority responsible for the appointment, if there is any pertinent information in a priest file which would then be relevant to his being given a particular assignment. (cf. Policy 1103.6)

901.2. Policy Prior to nomination for a significant and public leadership position which is voted upon by the presbyterate, the Archbishop reserves the right to remove from the slate the name of any potential nominee. Such positions shall include members of the Diocesan Priests' Placement Board, the Board of the Priests' Retirement and Mutual Aid Association (PRMAA), the Vicar for Priests, the Officers of the Presbyteral Council, and other such positions as may be indicated by the Archbishop.

Procedures

- a) Before priests are contacted about being selected as nominees for the above positions, their names should be presented to the Archbishop for his information.
- b) While respecting the slate submitted by the nominating committee, the Archbishop at his discretion can remove any name from that list based on information from appropriate advisors or their files.
- c) Candidates should not be disqualified because of legitimately differing theologies, ecclesiologies, etc., except that the Archbishop may disqualify candidates whose views on matters of policy may be seriously incompatible with the teaching or discipline of the Church as well as the policies of the Archdiocese, as authoritatively interpreted by the Archbishop.
- d) After consultation, the Archbishop shall return the slate to the nominating committee, indicating the name(s) of any candidate(s) disqualified by the Archbishop.

§1000 ALCOHOLISM AND CHEMICAL DEPENDENCY

Christian health embraces body, mind and spirit. Christian teaching maintains this holistic attitude toward self and others. As we aid others in living their lives meaningfully in Christian faith, we must remember to aid ourselves in personal health maintenance.

The National Conference of Bishops Committee on Priestly Life and Ministry states: "Alcoholism or chemical dependency is one of the most serious health and social problems facing our society today. Because of its threatening influence to the dignity of the person and the fabric of society, it must necessarily be a major concern to all of us in the compassionate and healing ministry of the Church."

Alcoholism or chemical dependency is accepted as a chronic progressive illness. Both affect a person physically, mentally and spiritually, and the behavior of the dependent person is affected in such a way that it is often socially inept and inappropriate. The symptoms of the disease bring devastation to those who suffer the illness itself and to countless others who are significant in the life of the actively drinking alcoholic or chemically dependent person.

In light of this, when the Archdiocesan Health Program was established in 1966, the Committee on Alcoholism and Chemical Dependency was formed as part of the overall program. Since that time, this Committee has had much experience in caring for and responding with reverence and concern to priests afflicted with alcoholism or substance dependency.

The policy and procedure for diocesan priests described herein has grown out of these years of experience.

The Archdiocese, in accord with competent professional authorities, recognizes alcoholism and/or other substance dependencies as human disease conditions, incurable but treatable. Research and experience indicate that persons afflicted with such diseases are usually blind to the developing symptoms in themselves and are rarely capable of effective self-help.

Therefore, out of compassionate concern and in justice to our fellow priests, we adopt the following procedures to facilitate proper treatment and lasting recovery. These procedures cover the following areas: Identification; Intervention; Assessment and Diagnosis; Treatment; and Post Treatment Care.

§1001 COMMITTEE ON ALCOHOLISM AND CHEMICAL DEPENDENCY

§1001.1. Committee Involvement

1001.1 Policy The Committee on Alcoholism and Chemical Dependency (hereinafter “Committee”) shall facilitate a priest through all phases of recovery from initiation and motivation to well advanced care and thorough after-care support.

Procedures

- a) The Committee meets on a monthly basis and communicates as frequently as the need arises. Each case of illness will have a case manager assigned by the Committee, but the entire Committee will be intimately involved in the overall course of care. Committee contact and liaison with a patient in treatment is of utmost importance.
- b) After-care planning is another service of the Committee. The Committee attempts to continue active involvement in after-care and ongoing support of the patient until the recovery process is well-advanced.
- c) Punitive attitudes have no place in this process of recovery. Love and concern for our brothers in Christ is behind all efforts and recommendations of the Committee.
- d) All expenses for the Committee and for payment of treatment are coordinated by the Priests’ Retirement and Mutual Aid Association.

§1001.2. Confidentiality

1001.2. Policy In all phases of the recovery process, the highest level of confidentiality and anonymity shall be maintained as befits the recovery needs of the individual who has the illness or who is suspect of the illness.

§1002 IDENTIFICATION, INTERVENTION AND ASSESSMENT

In order to provide help, it is necessary to identify the illness. It is necessary to know the type, intensity and duration of drinking or chemical use, and the resulting inappropriate behavior. A drinking problem or drug problem manifests itself in a variety of patterns: drinking or taking drugs in the morning or early afternoon; drinking or drug taking for prolonged periods in the evening; solo drinking or drug taking; impulse drinking or drug taking; drinking or taking of drugs before going to a party; or, drinking or taking of drugs around the clock for a few days. However, the behavior of the individual, more than the drinking or drug taking, will be of greater help in identifying the problem. Some behaviors that may indicate a problem are: compulsive drinking or drug taking with increasing consumption to achieve effects; continued consumption despite negative results, being consistently late for Mass or other functions; not keeping appointments; creating inappropriate and embarrassing situations; lacking concern for personal appearance; being argumentative and depressed; exhibiting a noticeable change in attitude and/or behavior; suffering blackouts, periods of forgetting, amnesia; being involved in frequent auto accidents; or receiving police citations for drinking or drug taking.

Denial is one of the major obstacles to overcome in helping the alcoholic or drug dependent person. The process of intervention is necessary in almost all cases to help the alcoholic or chemically dependent person to get treatment for the disease and to begin a life of sobriety. This is a process in which both peers (either family or clergy and/or staff) and professionals take direct action in order to help the person to treatment.

§1002.1. Evaluation

Because alcoholism and chemical dependence impair the judgment of those afflicted to the point that they are not aware of their illness or are unwilling to seek treatment, certain procedures are necessary for proper intervention on their behalf.

1002.1. Policy The Committee shall evaluate each case presented to them, whether contact was prompted by concerned others or voluntarily initiated by the individual, to determine whether intervention is necessary.

Procedures

- a) Consultation with Committee. Once a priest or friend, associate, family or staff member thinks the person in question has a problem, he or she is asked to consult with a member of the Committee.
- b) Intervention Discernment. Should there be sufficient reason, the Committee member contacted shall consult with other members of the

Committee to determine whether or not an intervention is indicated. A case manager is chosen, usually the Committee member originally contacted and an intervention is planned and coordinated through the Committee.

- c) Successful Intervention. If this primary intervention is successful, the alcoholic or chemically dependent person and the Committee case manager will discuss treatment plans and access into treatment.
- d) Unsuccessful Intervention. If a priest, after intervention, refuses the treatment plan, the Vicar for Priests will be contacted for resolution.
- e) Additional Resources. An interested priest may also contact any member of the Committee on Alcoholism and Chemical Dependency directly, without fear of prejudice, and with every assurance of confidentiality.

§1003 TREATMENT DETERMINATION

§1003.1. Treatment Determination

1003.1. Policy The Committee shall determine whether short term residential, long term residential, or primary out-patient treatment is necessary.

Procedures

- a) Short Term Treatment can be accomplished in a number of facilities available in the Chicago area.
- b) Long Term Treatment is frequently recommended because of the physical, psychological and spiritual condition of the individual. The patient will be informed by the case manager about the particular facility for treatment and be given a description of the life there.
- c) Primary Out-Patient Treatment. Usually, residential intervention is the treatment of choice. However, there are some persons who can be treated on an out-patient basis. In such cases, the person will follow a prescribed treatment plan which will be reviewed by a case manager in consultation with other Committee members. (It should be noted that the Chicago Committee has found that eighty-five percent of the patients who complete long term treatment and have been involved actively in post treatment care have developed quality sobriety.) A member of the Committee will maintain contact with the patient while he is in treatment.

§1004 POST TREATMENT CARE

An essential part of the holistic approach to treatment is the aftercare.

§1004.1. Continued Recovery Process

1004.1. Policy As part of the aftercare program, the priest shall be expected to join Alcoholics Anonymous (A.A.), or another appropriate self-help organization whose objective is life management.

Procedures

The patient is expected to attend weekly sessions of 75 minutes for at least six months and is always encouraged to continue afterwards. "Life Management Groups" are directed by members of the committee and offer a unique personal approach to the continued recovery process.

Note

The purpose of these groups is to offer a climate in which the patients can discuss their personal and professional adjustments as they re-enter their ministry. Facilitators for these groups are licensed psychologists. Confidentiality and trust are the keystone of the group. It is understood that attendance at A.A., or other appropriate self-help groups on a regular basis is essential to the development and maintenance of a healthful life style.

§1005 CONTACT WITH APPROPRIATE PERSONS AND AGENCIES

§1005.1. Parish or Agency Contact

1005.1. Policy When a priest goes into treatment, the case manager shall establish contact with the appropriate administrative person in order to ensure smooth functioning of the parish or agency operation.

§1005.2. Committee Representative

1005.2. Policy A Committee representative shall be in touch with the Priests Placement Board during the treatment period, and shall continue any negotiations necessary at that time.

§1005.3. Salary Maintained

1005.3. Policy While a priest is in treatment his salary shall be maintained. He is further guaranteed full and equitable consideration for ministerial placement.

§1006 FAMILY AND STAFF AND/OR OTHER SIGNIFICANT PERSONS

Though the patient is ultimately responsible for his own recovery, the support and understanding of family, staff and significant others can assist in the harmonious and serene relationships needed upon re-entry to the parish or institution. It must be reiterated that mutual trust and confidentiality are the keystone of this program, and the essence is loving and concerned care.

§1006.1. Case Manager Involvement

1006.1. Policy A case manager shall be available to parish priests, staff and significant others concerned for the patient from identification through total recovery.

§1100 CLERICAL SEXUAL ABUSE OF MINORS: POLICIES FOR EDUCATION, PREVENTION, ASSISTANCE TO VICTIMS AND PROCEDURES FOR DETERMINATION OF FITNESS FOR MINISTRY

Introduction

These policies and procedures represent the promise of the Archdiocese of Chicago to provide healing and reconciliation to those who have been sexually abused as minors by anyone serving the Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or occurred many years ago.

The policies recognize that sexual abuse of minors is a special problem with a profound impact on the lives of those affected. In the case of sexual abuse of a minor by a cleric, the integrity of the priesthood, the diaconate and the Church itself as the servant of the people of God is damaged as well. Because sexual abuse of a minor by a cleric affects the whole Church; the solution to this problem must involve the whole Church. These policies and procedures reflect the Archdiocese's continuing effort to provide for the safety of the people among whom it carries on its pastoral mission while protecting the reputation of clerics who may be subject to inaccurate or false allegations. The success of the policies and procedures depends, to a great extent, on cooperation by people of good will.

In 1992 the Archdiocesan process began when Cardinal Bernardin's Commission on Clerical Misconduct presented its report recommending the establishment of comprehensive policies and procedures to address and respond to allegations and issues related to sexual abuse by clerics with minors. This resulted in the first edition of these Policies and Procedures. It was recognized from its inception that the general process for reviewing these policies would be ongoing and would be undertaken on a periodic basis. In June of 2002, the United States Conference of Catholic Bishops (USCCB) approved a Charter for the Protection of Children and Young People and Essential Norms that address the Church's commitment to deal appropriately and effectively with allegations of sexual abuse of minors by priests, deacons, and other church personnel (i.e., employees and volunteers). In 2003, Cardinal George directed that the policies and procedures of the Archdiocese of Chicago be amended so as to incorporate the provisions of the Charter and Essential Norms. Many of the provisions of the USCCB's Charter and the Essential Norms have been contained in the Archdiocese of Chicago's policies and procedures since 2002. After a timely revision and having received again the recognition of the Apostolic See, the Charter and Essential Norms were promulgated on May 5, 2006 and for a second time became particular law for the dioceses, eparchies, clerical religious institutes and societies of the apostolic life of the United States with respect to all priests and deacons in the ecclesiastical ministry of the Church in the United States.

§1101 GENERAL PROVISIONS

Section 1101 contains general statements of policy from which specific procedural recommendations follow. Section 1101 recognizes the Archdiocese's responsibility to establish appropriate educational programs for seminarians and clerics about the nature and effect of sexual abuse of minors

§1101.1. Establishment of Policy

1101.1. Policy Sexual abuse¹ by a cleric² with a minor³ violates human dignity, ministerial commitment and the mission of the Church; therefore the Archdiocese establishes these policies and procedures to review the fitness for ministry of any cleric accused of sexual abuse of a minor. The policies and procedures shall involve the laity in a substantive role.

- (1) The primary purposes of these policies and procedures are the safety of children, the well being of the community, and the integrity of the Church. The policies and procedures shall be fair and responsive to the pastoral needs of the victim, the victim's family, the community, and the cleric. The policies and procedures shall facilitate cooperation and avoid interference with civil authorities responsible for investigating allegations of sexual abuse.
- (2) The Archdiocese shall cooperate with the Illinois Department of Children & Family Services (the DCFS), the Cook and Lake Counties State's Attorneys and other appropriate public authorities in the conduct of investigations and actions to enforce the law and to protect minors and communities affected by sexual abuse of a minor.
- (3) The Archdiocese shall continue to make its policies and procedures related to sexual abuse of minors available in published form and as the subject of periodic public announcements so that those affected can readily seek and receive the assistance which the policies provide. (Cf. *USCCB Charter*, art. 2)

¹ Per note, *USCCB Charter* and Preamble, *USCCB Essential Norms*: "Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these norms do not adopt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue (*Code of Canon Law*, c. 1395, §2). Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment (USCCB, *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). A canonical offense against the sixth commandment of the Decalogue (*Code of Canon Law*, c. 1395, §2) need not be a complete act of intercourse. Nor to be objectively grave, does an act need to involve force, physical contact, or a discernable harmful outcome. Moreover, 'imputability [moral responsibility] for a canonical offense is presumed upon an external violation ... unless it is otherwise apparent' (*Code of Canon Law*, c. 1321, §3). Cf. *Code of Canon Law*, cc. 1322-1327. If there is any doubt about whether a specific act fulfills this definition, the writings of recognized moral theologians should be consulted and the opinion of a recognized expert be obtained (*Canonical Delicts*, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified Review Board, to determine the gravity of the alleged act."

² Canon law defines a "cleric" as a priest, deacon or bishop.

³The Abused and Neglected Child Reporting Act (hereinafter referred to as ANCRA) defines "child" as any person under the age of 18. For purposes of canon law and these policies and procedures, "minor" has the same meaning.

§1101.2. Funding, Staff and Facilities

1101.2. Policy The Archdiocese shall provide sufficient funding, staff and facilities to assure the effective implementation of the programs established by these provisions.

§1101.3. Education of Seminarians, Clerics and other Church Personnel

1101.3. Policy The seminaries of the Archdiocese shall establish appropriate programs about the nature and effect of sexual abuse of a minor for the education of seminarians, deacon aspirants and deacon candidates and for the continuing education of clerics and other church personnel.

§1101.4. Review and Amendment

1101.4. Policy The Independent Review Board (“Review Board”) established in Section 1104, shall periodically review these policies and procedures and make any recommendations for amendment to the Archbishop. The Archbishop may amend these policies and procedures at any time upon the recommendation of the Review Board or on his own initiative. (Cf. *USCCB Essential Norms*, #4.B)

§1102 ASSISTANCE TO THOSE AFFECTED

Section 1102 recognizes the Church's pastoral responsibility to assist all those affected by sexual abuse of minors by clerics: the victim and the victim's family, the community, and the cleric. Section 1102, establishes an Assistance Minister whose duties include the identification of which pastoral and professional resources will be made available to assist the victims of abuse. In addition, the Church's outreach to communities affected will be organized to promote understanding and healing. Finally, the roles of Vicar for Priests and the Vicar for Deacons are addressed.

§1102.1. Assistance to Those Affected

1102.1. Policy The Archdiocese shall make appropriate assistance available to those who may be affected by the alleged sexual abuse of a minor by a cleric, whether the abuse was recent or occurred many years in the past. This outreach may include provision of counseling, spiritual assistance, support groups, and other social services agreed upon by the victim and the Archdiocese. In cooperation with social service agencies and other churches, support groups for victims/survivors and others affected by sexual abuse are to be fostered and encouraged by the Archdiocese and in local parish communities. (*USCCB Charter*, art. 1)

§1102.2. Assistance to Alleged Victim

1102.2. Policy The first obligation of the Church with regard to the victims is for healing and reconciliation. The Archdiocese shall designate an Assistance Minister who shall minister to the victim, victim's family or other persons affected, doing so with a sincere commitment to their spiritual and emotional well-being. The minister shall identify professional and other resources and make them available to aid in the pastoral care of a victim or his/her family member. In the case of any disclosure of sexual abuse of a minor, the Assistance Minister shall report the fact in writing to the Director of the Office for Child Abuse Investigations & Review (hereafter the "Director"). (Cf. *USCCB Charter*, articles 1 & 2, and *USCCB Essential Norms*, #3) The Assistance Minister shall comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and shall cooperate in their investigation. The Archdiocese shall not enter into confidentiality agreements except for grave and substantial reasons brought forward by the victim and noted in the text of the agreement. (Cf. *USCCB Charter*, art. 3) Through pastoral outreach to victims and their families, the Archbishop or his representative shall offer to meet with them, to listen with patience and compassion to their experiences and concerns, and to share the "profound sense of solidarity and concern" expressed by our Holy Father in his Address to the Cardinals of the United States and Conference Officers. This pastoral outreach by the Archbishop or his delegate shall also be directed to faith communities in which the sexual abuse occurred or the alleged perpetrator served. (Cf. *USCCB Charter*, art. 1)

§1102.3. Assistance to Community

1102.3. Policy The Archdiocese shall develop and maintain "safe environment" programs and programs for outreach to communities affected. The programs shall promote the safety of minors, healing and understanding. The Archdiocese shall cooperate with parents, civil authorities, educators, and community organizations in order to provide education and training for children, youth, parents, ministers, educators, and others about ways to make and maintain a safe environment for children and youth. The Archdiocese shall make clear to clerics and all members of the community the standards of conduct for clerics and other persons in positions of trust with regard to sexual abuse. (Cf. *USCCB Charter*, art.

12) As part of this process, clerics and employees and volunteers who work with minors shall follow the Safe Environment Compliance Policy found in §603 of Book Two, including reading the Code of Conduct and signing the Code of Conduct Acknowledgement form.

§1102.4. Assistance to Clergy

1102.4. Policy In the case of any disclosure of sexual abuse of a minor by a cleric, the Vicar for Priests or Vicar for Deacons shall report the fact in writing to the Director. The Vicar for Priests and the Vicar for Deacons shall comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and shall cooperate in their investigation. These Vicars are the representatives of the Archbishop who minister to the clergy of the Archdiocese by providing care, advice and support; and by facilitating referrals to secular and canonical legal resources and other professionals. An accused priest or deacon shall be offered professional assistance for his own healing and well-being, as well as for the purpose of prevention. (Cf. *USCCB Charter*, art. 5)

§1103 SCREENING FORMATION, EDUCATION & ASSIGNMENT TO MINISTRY

§1103.1. Screening and Education of Clerics and Seminarians

1103.1. Policy The Archdiocese shall evaluate the background of all Archdiocesan personnel who have regular contact with minors. Specifically, they shall utilize the resources of law enforcement and other community agencies. In addition, they shall employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination (cf. National Conference of Catholic Bishops, *Program of Priestly Formation*, 1993, no. 513). The Archdiocese shall review and augment on-going programs for the screening and education of seminarians and deacon candidates and the continuing education of clerics in matters related to sexuality and sexual abuse. (Cf. *USCCB Charter*, art. 13) Candidates who provide false information in their applications, including purposefully omitting required information, will automatically be disqualified from entering or remaining in the seminary or diaconate formation process.

Procedures

- a) **Psychological Profile.** Consistent with applicable ethical, canonical and legal principles and as soon as may be appropriate, a full psychological profile of each seminarian and deacon candidate shall be obtained. In addition to general psychological fitness for ordination and ministry, the profile should seek to identify tendencies of pedophilia or ephebophilia. The psychological profile shall be maintained as part of the seminarian's or candidate's education or formation file, as applicable, until the seminarian or deacon candidate is ordained or for one year after a seminarian or deacon candidate withdraws or is dismissed from the seminary or diaconate formation program and may only be disclosed to those authorized under the applicable civil and criminal laws.. The profile may be updated as necessary or appropriate.
- b) **Developmental Programs.** The Archdiocesan seminaries and formation programs shall offer, as part of their formation programs, age appropriate courses and components that deal in depth with psychological development, including both moral and deviant sexual behavior, with emphasis on the implications of making moral choices in accord with Church teaching and clerical commitment. While the priestly commitment to the virtue of chastity and the gift of celibacy is well known, there will be clear and well-publicized Archdiocesan standards of ministerial behavior and appropriate boundaries for clergy and for any other church personnel in positions of trust who have regular contact with minors. (*USCCB Charter*, art. 6) As part of this process, seminarians along with clerics and employees and volunteers who work with minors shall follow the Safe Environment Compliance Policy found in §603 of Book Two, including reading the Code of Conduct and signing the Code of Conduct Acknowledgement form and participating in Mandated Reported training (as applicable).

- c) Certification. Every cleric who holds or requests faculties within the Archdiocese shall certify in writing that he has read and is familiar with the Archdiocesan policies and procedures regarding sexual abuse of minors. The cleric's certification shall be maintained in the cleric's personnel file.

- d) Formation Programs. Seminary programs shall focus on the question of human formation for celibate chastity based on the criteria found in *Pastores Dabo Vobis* (1992). The Archdiocese shall develop systematic ongoing formation programs in keeping with the recent USCCB document, *Basic Plan for the Ongoing Formation of Priests*, as well as similar, appropriate programs for deacons based upon the criteria found in the National Directory of the Formation, Ministry and Life of permanent Deacons in the United States so as to assist clerics in their living out of their vocation. (*USCCB Charter*, art. 17)

§1103.2. Assignment and Transfer of Clergy outside their Jurisdiction

§1103.2.1. Clerics of the Archdiocese of Chicago

1103.2.1. Policy No Archdiocesan cleric against whom an allegation of sexual abuse of a minor has been substantiated may be transferred for ministerial assignment to another ecclesiastical jurisdiction. Before an cleric may be transferred for residence to another diocese/eparchy or religious province, the Archbishop or his delegate shall forward, in a confidential manner, to the local bishop/eparch and religious ordinary (if applicable) of the proposed place of residence any and all information concerning any substantiated allegation of an act of sexual abuse of a minor and any other information indicating that he would be unsuitable to work with minors. This shall apply even if the cleric shall reside in the local community of an institute of consecrated life or society of apostolic life. (Cf. *USCCB Charter*, art. 14, and *USCCB Essential Norms*, #12)

§1103.2.2. Religious Congregations and Clergy of Other Dioceses

1103.2.2. Policy No religious or extern cleric against whom an allegation of sexual abuse of a minor has been substantiated may be transferred for residence or ministerial assignment in the Archdiocese of Chicago without the consent of the Archbishop. Before a cleric can be transferred for residence or ministry in the Archdiocese, his bishop/eparch or religious ordinary shall forward, in a confidential manner, to the Archbishop or his delegate any and all information concerning any act of sexual abuse of a minor and any other information indicating that he would be unsuitable to work with minors. This shall apply even if the priest or deacon shall reside in the local community of an institute of consecrated life or society of apostolic life (or, in the Eastern Churches, as a monk or other religious, in a society of common life according to the manner of a religious, in a secular institute, or in another form of consecrated life or society of apostolic life. (Cf. *USCCB Charter*, art. 14, and *USCCB Essential Norms*, #12)

§1103.3. Relationship with Religious Congregations

1103.3. Policy Religious congregations whose cleric members maintain or seek faculties to minister in the Archdiocese shall abide by the Archdiocesan policies and procedures including but not limited to those relating to sexual abuse of minors.

Procedures

- a)** The congregation must provide a copy of its own policies and procedures for preventing and dealing with allegations of sexual abuse of minors to the Vicar for Religious.

- b)** The presenting congregation shall provide a written statement about the status, background, character and reputation of each cleric presented for faculties in the Archdiocese, as provided in the model promulgated by the Archbishop's Delegate for Extern and International Priests. In the case of any allegation of sexual abuse of a minor by such cleric, the presenting congregation shall submit to the Archbishop's Delegate for Extern and International Priests a comprehensive report of the allegation and its disposition. (See §1103.5.1)

- c) If a religious cleric exercising public ministry or an apostolate in the Archdiocese of Chicago is accused of sexual abuse of a minor, the Archbishop's delegate and the proper religious superior shall confer with each other as soon as reasonably practicable. Concerning withdrawal from ministerial functions, the Archdiocese shall determine whether or not the cleric may continue to exercise a ministry that involves the care of souls, the public exercise of divine worship, or some other work of the apostolate (cf. cc. 392 and 678, §1). If the Archdiocese determines that a religious cleric may no longer exercise such ministry in the Archdiocese, his faculties will be withdrawn, and his proper religious superior shall be requested to recall the cleric immediately. The religious congregation retains its rightful autonomy and responsibility to address issues pertaining to its internal affairs, such as psychological assessment, treatment and aftercare for the accused cleric, and for the pastoral care and just treatment of alleged victims of sexual abuse.
- d) If sexual abuse of a minor is alleged to have occurred involving a religious cleric ministering in a parish, school or other entity under the auspices of the Archdiocese of Chicago, the Archdiocese retains the right to initiate the process of investigation and follow-up with the Director of the Office of Child Abuse Investigations and Review ("Director") and Review Board and take whatever action it deems appropriate. The Archdiocese likewise retains the right to address the pastoral needs of any alleged victim of sexual abuse by a religious cleric within the Archdiocese. Since religious clerics are also subject to their own proper superiors and to the discipline of their institute (c. 678, §2), the religious congregation may also choose to review the allegation in keeping with its own policies and procedures. If the religious superior removes the religious cleric from the office entrusted to him after having informed the Archbishop (c. 682, §2), the cleric's Archdiocesan faculties shall be withdrawn. However, any determination about return to ministry in the Archdiocese and restoration of Archdiocesan faculties shall be made according to Archdiocesan policies and procedures in this regard.
- e) If a religious cleric who is permanently residing in the Archdiocese or exercising a ministry strictly internal to the religious congregation, in each case, without Archdiocesan faculties is accused of sexual abuse of a minor, the religious congregation may choose to review the allegation in keeping with its own policies and procedures. Any subsequent presentation for Archdiocesan faculties is subject to Archdiocesan policies and procedures. In any case, the Archdiocese retains the right to prohibit a member of a religious institute from residing in the Archdiocese or at any particular location in the Archdiocese. If the cleric's major superior has not made provision after having been informed; such matters are to be referred to the Holy See (c. 679).

§1103.4. Extern Priests

1103.4. Policy The Archdiocese shall maintain and periodically review its policies affecting extern priests who seek or maintain faculties in the Archdiocese. The priest's proper Ordinary shall certify whether he is aware of anything in the priest's background that would render him unsuitable to work with minors. In the case of any allegation or incident of sexual abuse of a minor, the priest's proper Ordinary shall submit a comprehensive report of the allegation and its disposition to the delegate of the Archbishop who is responsible for Extern priests. (See Extern Priests Policy, §1506)

Procedures

- a) If an extern priest or deacon exercising public ministry or an apostolate in the Archdiocese of Chicago is accused of sexual abuse of a minor, the Archdiocese must confer with the competent Ordinary. The Archdiocese will determine whether or not the priest or deacon may continue to exercise a ministry that involves the care of souls, the public exercise of divine worship, or some other work of the apostolate (cf. cc. 392 and 678, §1). If the Archdiocese determines that an extern priest or deacon may no longer exercise any ministry in the Archdiocese, his faculties shall be withdrawn, and his proper Ordinary shall be requested to recall the priest immediately or inform the deacon that his permission to serve in the Archdiocese of Chicago is withdrawn.
- b) If sexual abuse of a minor is alleged to have occurred, the Archdiocese retains the right to initiate the process of investigation and follow-up with the Director and Review Board and take whatever action it deems appropriate. Any determination about return to ministry and restoration of faculties shall be made according to Archdiocesan policies and procedures.

§1103.5. Deacons

§1103.5.1. Archdiocesan Deacons

1103.5.1. Policy The Archdiocese shall maintain and periodically review its policies affecting deacons who maintain faculties in the Archdiocese.

§1103.5.2. Extern Deacons

1103.5.2. Policy When a deacon relocates into the Archdiocese and requests faculties to minister, the proper Ordinary shall certify whether he is aware of anything in the deacon's background which would render him unsuitable for ministry. In the case of any allegation or incident of sexual abuse of a minor, the proper Ordinary shall be notified, and the policies and procedures in §1100 et seq. shall be followed in so far as they apply to deacons and the case under review.

§1103.6. Assignment Review for Priests

1103.6. *Policy* The Executive Secretary of the Diocesan Priests' Placement Board, or an appropriate representative of that Board, shall submit to the Vicar General, Vicar for Priests, and the Chancellor the names of all candidates who apply to or are brought by the Diocesan Priests' Placement Review Board for ministerial assignment or reassignment.

Procedures

- a) The Vicar for Priests shall consult with the Diocesan Priests' Placement Board about assignment of priests accused of sexual abuse of minors including their residence arrangements.
- b) The Vicar General shall review the name or list of names and delete any individual who is the subject of a proceeding before the Review Board, including any restrictions or supervision under these provisions.
- c) The Executive Secretary or representative shall return the application of any such applicant.

§1104 REVIEW PROCESS

Section 1104 establishes the process by which the fitness for ministry of a cleric accused of sexual abuse of a minor can promptly and credibly be determined and appropriate recommendations made to the Archbishop. Allegations of sexual abuse of a minor by a cleric will initially be considered by the Director who will make a recommendation to the Archbishop. The Review Board shall review the initial recommendation of the Director as well as all subsequent issues regarding the fitness for ministry of the accused cleric. The Director and Review Board are established as advisors of the Archbishop. The process is declared to be consultative and advisory, not adversarial and adjudicative, and is directed toward pastoral reconciliation and healing. In this context the safety and wellbeing of the community is of primary concern. Another concern is protecting the reputation of clerics who may be subject to inaccurate or false accusations. The responsibility of the Director to cooperate with civil officials is confirmed as is the Church's pastoral responsibility to take action with respect to religious, pastoral and administrative matters that are beyond the authority of government.

§1104.1. Establishment of Process

1104.1. Policy Determinations and recommendations regarding the continuation of ministry of any cleric who is the subject of an allegation of sexual abuse of a minor shall be made to the Archbishop according to the consultative and advisory process established in Section 1104. When even a single act of sexual abuse of a minor by a cleric is admitted or is established after an appropriate process in accordance with Canon Law, the cleric shall be removed permanently from ecclesiastical ministry (USCCB Essential Norms #8, CIC c. 1395 §2, CCEO c. 1453 §1).

§1104.2. Reporting Requirements, Compliance and Cooperation

1104.2. Policy In every instance, the Archdiocese shall advise and support every person's right to make a report to civil authorities. (Cf. *USCCB Essential Norms*, #11 and §§1104.4.3(2) and 1104.7.1) of these policies) All Archdiocesan personnel are expected to comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and shall cooperate in their investigation. Further, all Archdiocesan clerics and all religious, employees, and volunteers working for the Archdiocese shall comply fully with the letter and spirit of this process. In addition to reports required by civil law, these personnel are expected to promptly report allegations of a cleric's sexual abuse of a minor to the Director unless prohibited by applicable Church law (Canon 983, §1). Other clerics and religious working in the Archdiocese are expected to cooperate with the process consistent with their particular status within the Archdiocese. All persons who may relate to the process described herein are asked to do so with understanding and sensitivity for its goals. The Archdiocese shall take all appropriate steps to protect the good name and reputation of all persons involved in this process. (Cf. Canon 220 and *USCCB Essential Norms*, #6). Retaliation in any form against someone who reports the sexual abuse of a minor by a cleric shall be strictly prohibited.

Procedures

- a) As defined by the Abused And Neglected Child Reporting Act, all mandated reporters shall make their first report to DCFS.
- b) The necessary observance of the canonical norms internal to the Church is not intended in any way to hinder the course of any civil action that may be operative. At the same time, the Church reaffirms her right to enact legislation binding on all her members concerning the ecclesiastical dimensions of sexual abuse of minors.(Cf. *USCCB Essential Norms*, endnote 7)
- c) Ordinarily, the information received by the Director shall include the name of the cleric who is the subject of the allegation, the name or names of the alleged victim or victims, an accurate description of the alleged abuse, the relevant dates, times and circumstances in which the abuse allegedly occurred, and the names, addresses and telephone numbers of other persons who may have knowledge of the alleged abuse.
- d) Allegations that a cleric of the Archdiocese of Chicago engaged in sexual abuse of a minor may be received from any number of sources: e.g., a meeting in person with the Director, a telephone call, written communication, email, a personal appointment, the media, public authorities, etc.
- e) Any notification from DCFS that it has initiated a formal investigation that a minor may have been sexually abused by a cleric, or from law enforcement authorities that they are investigating whether a minor was sexually abused by a cleric, shall be considered an allegation.
- f) An allegation against a cleric who has retired from an official assignment shall be processed in the same manner as any other allegation to the extent necessary to make a determination whether there is reasonable cause to believe that the retired cleric engaged in sexual abuse of a minor and whether minors are currently at risk.

- g)** An allegation of sexual abuse of a minor against a cleric who (i) has voluntarily withdrawn from active ministry, or is laicized, or is deceased and (ii) has not been previously determined to have engaged in the sexual abuse of a minor by the Review Board or similar administrative process shall be processed by the Director and presented to the Review Board in the same manner as any other allegation. The person making the allegation shall be referred to the Office of Assistance Ministry for appropriate pastoral care.

If the whereabouts of an accused cleric who has voluntarily withdrawn from active ministry or who has been laicized is known, the Vicar for Priests or the Vicar for Deacons will attempt to contact the accused cleric to inform him of the allegation and request that he attend a meeting with the Vicar and the Director so that the Director could present the allegation and request his response to the allegation and to any other allegations of sexual abuse of minors in his file. In the event there are further canonical proceedings, the withdrawn cleric shall also be provided with the opportunity for canonical counsel, as in other cases.

If the whereabouts of the accused cleric remains unknown, or if he is deceased, a canonical counsel will be appointed to act before the Review Board for the accused cleric and take other such actions as the canonical counsel deems warranted to protect the good name and reputation of the cleric.

Following an investigation and review of the accused cleric's file and any other relevant information, the Review Board shall determine whether, during the time the accused was serving as a cleric of the Archdiocese, (i) there is reasonable cause to believe that the accused had engaged in the sexual abuse of a minor; or (ii) there is not a reasonable cause to believe that the accused had engaged in the sexual abuse of a minor; or (iii) the Review Board is unable to determine that there is a reasonable cause to believe that the accused had engaged in the sexual abuse of a minor. The Review Board will present its conclusions to the Archbishop.

- h)** Anonymous allegations, allegations by third parties or allegations that contain insufficient information ordinarily shall be processed by the Director in the following fashion:
- 1)** Based on the limited data available, request the Vicar for Priests and other appropriate Archdiocesan agencies to forward for review by the Director all relevant files, and any other pertinent information, so that the allegation can be investigated to the degree possible,
 - 2)** If the cleric can be identified, determine whether or not to inform him and offer him the opportunity to respond,

- 3) Report all such allegations to the Review Board at its next regularly scheduled meeting so that the Review Board may review such allegation, the Director's action and recommend further action as it deems appropriate.

§1104.3. Protection of Rights and Unfounded Allegations

1104.3. Policy Care shall be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and the accused cleric. When the accusation has proved to be unfounded, every step possible shall be taken to restore the good name of the cleric falsely accused. (*USCCB Essential Norms #13*)

§1104.4. Archdiocese of Chicago Review Board

1104.4. Policy The recommendations described in Section 1104.1 shall be made to the Archbishop by the Review Board, which shall function as a confidential consultative body to the Archbishop in discharging his responsibilities (cf. *USCCB Charter*, art. 2, and *USCCB Essential Norms*, #4):

§1104.4.1. Membership

1104.4.1. Policy The Review Board shall be appointed by the Archbishop and consist of nine to eleven members of outstanding integrity and good judgment in full communion with the Church. Six members shall be lay Catholics who are not employees of the Archdiocese, and three members shall be clerics. At least one of the clerical members shall be a priest who is an experienced and respected pastor of the Archdiocese. Three of the lay Catholics shall include a psychiatrist, a psychologist or social worker, and an attorney. The three representatives of the Church at large shall include a parish council member, a parent, and a victim or parent of a victim of child sexual abuse. The Archbishop, in consultation with the Review Board, may also appoint one or two additional lay Catholic members to the Review Board; such additional members shall be considered “at large”, that is, they need not possess any specific educational, vocational or other background. At least one of the members should have particular expertise in the treatment of the sexual abuse of minors. (Cf. *USCCB Charter*, art. 2, and *USCCB Essential Norms*, #5)

Procedures

- a) **Full Communion** “Those baptized are fully in the communion of the Catholic Church on this earth who are joined with Christ in its visible structures by the bonds of profession of faith, the sacraments, and ecclesial governance” (*Code of Canon Law*, c. 205; cf. Vatican II, Dogmatic Constitution on the Church *Lumen Gentium*, 14).
- b) **Nominating Committee** The Archbishop may appoint a Nominating Committee to propose the names of candidates for the Review Board. The Nominating Committee shall consist of respected persons with sound judgment. For the nomination of the clerical members of the Review Board, the Nominating Committee should consult with the Vicars for Priests or the Vicar for Deacons and the Executive Committee of the Presbyteral Council. For the nomination of the Review Board member who is a victim or parent of a victim of child sexual abuse, the Nominating Committee will consult with the Assistance Minister. For the other Review Board positions, the Nominating Committee may at its discretion consult with appropriate professional societies, advocacy groups and other consultative bodies, such as the Archdiocesan Pastoral Council. The

Archbishop's Delegate to the Review Board will convene the Nominating Committee with staff assistance from the Director.

- c) Review Board Member Orientation In order to familiarize the Review Board members with their duties as well as with the pertinent policies and procedures, there should be a Review Board Member Orientation conducted periodically with input from appropriate Archdiocesan officials and outside consultants as necessary or desirable.
- d) Compensation None of the members of the Review Board shall receive compensation for their services, but all members shall be reimbursed for their necessary expenses.

§1104.4.2. Term

1104.4.2. Policy Appointments to the Review Board shall be for staggered terms of five years, which terms may be extended year to year thereafter and shall continue until a successor is appointed. Any Review Board member who desires to resign from the Review Board shall, if at all possible, give the Review Board six months advance notice of the effective termination date. (Cf. *USCCB Essential Norms*, §5, Canon 186.)

§1104.4.3. Officers

1104.4.3. Policy The Archbishop shall designate one Review Board member as chairperson and one Review Board member as vice chairperson for fixed terms, not to extend beyond the term as a member of the Review Board.

Procedure

The chairperson shall ordinarily convene and preside at meetings of the Review Board in accordance with the will of the Review Board. The Vice Chairperson shall perform these functions when the Chairperson is unable to do so.

§1104.4.4. Relationship with Archbishop

1104.4.4. Policy The Review Board shall serve as the principal advisor of the Archbishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry. The Review Board is not accountable to other officials of the Archdiocese except as may be necessary for the efficient administration of its business. (Cf. *USCCB Charter*, art. 2, and *USCCB Essential Norms*, #4)

§1104.4.5. Quorum and Majority for Doing Business

1104.4.5. Policy A majority of the members of the Review Board appointed to serve at that time, plus one additional member, shall constitute a quorum of the Review Board, and the concurrence of not less than a majority of such members of the Review Board shall be necessary to a determination or recommendation, three of whom must be lay members of the Review Board.

§1104.4.6. Meetings

1104.4.6.1. Policy The Review Board shall conduct its business at meetings, which shall be scheduled to occur monthly or as often as necessary to perform its duties. The meetings shall reflect the pastoral character of this process that is consultative and advisory, not adversarial and adjudicative. The meetings are not hearings. They are sessions at which the Review Board receives and considers information, deliberates, and formulates its determinations and recommendations. The Review Board may, in its discretion, limit the information it receives or considers, and the rules of evidence shall not strictly apply.

Procedures

- a) Ordinarily, the Review Board shall meet in person but by exception may meet by telephone conference call or video conference. The members of the Review Board shall not discuss the business of the Review Board or information presented to the Review Board outside Review Board or Committee meetings, except that the Director may communicate with Review Board members as required by this process or as otherwise appears appropriate.
- b) The Archbishop, the Archbishop's delegate, other persons designated by the Archbishop, and the Director may attend those portions of meetings during which information is presented to the Review Board and the Review Board makes its recommendations. They may attend other portions of the meetings subject to the discretion of the Review Board. All other persons may attend meetings only upon the invitation or with the consent of the Review Board and subject to such limitations as the Review Board might require. It is desirable that the Promoter of Justice participate in the meetings of the Review Board. . (Cf. *USCCB Essential Norms*, §5) Since the Promoter of Justice is responsible to the prosecution of any penal trial before a canonical tribunal, he may attend the Review Board meetings with voice in the discussions, but with no vote in the Review Board's determinations and recommendations. After the Review Board process is completed and, if warranted by the outcome, after the Congregation for the

Doctrine of the Faith is notified, the Promoter for Justice shall proceed as instructed by the Archbishop in accord with directions from the Congregation for the Doctrine of the Faith, unless the Congregation calls the case to itself because of special circumstances. (Cf. *USCCB Essential Norms*, #8A)

- c) The Chairperson, with the consent of the Review Board, may appoint such standing or temporary committees as deemed necessary, and may delegate to such committees any powers necessary to fulfill its purpose. However, the power to make a definitive recommendation following a Review Board meeting may not be delegated to any such committee.

1104.4.6.2. Policy Both the person making an accusation and the accused cleric have a right to meet with the Review Board before the Review for Cause is concluded, subject to such reasonable limitations as to time the Review Board may establish. The Review Board shall exercise reasonable discretion in permitting such appearances and in establishing reasonable time limitations for such appearances.

Procedure

When a person making an accusation or an accused cleric meets with the Review Board, the Review Board shall schedule their appearances in such a way that they not meet each other, even inadvertently.

1104.4.6.3. Policy Nothing in these policies and procedures shall be interpreted as to abridge an individual's right to legal or canonical counsel.

Procedures

- a) The Vicar for Priests/Vicar for Deacons shall encourage the accused cleric to retain the assistance of civil and canonical counsel. When necessary, the Archdiocese shall supply canonical counsel to the priest or deacon. (*USCCB Charter, art. 5, and USCCB Essential Norms, ##6 and 8.A*)
- b) Any person appearing before the Review Board may do so with counsel or, in the Review Board's discretion which shall be exercised liberally, with such other adviser for whom the person may, in advance of the meeting, request the Review Board's consent. The Review Board shall not permit the participation of counsel or other adviser unduly to delay this process. Attorneys licensed to practice civil law, but not Canon Law, serving as counsel to the person making the allegation or the person accused, may attend such meetings, subject to the Review Board's discretion, and advise their clients involved in these ecclesiastical processes, with the understanding that such proceedings are conducted according to these

policies and procedures and the provisions of Canon Law; they are not hearings subject to the rules of civil law.

§1104.4.7. Duties

1104.4.7. Policy The Review Board shall have the duty to:

- (1) recommend to the Archbishop a candidate or candidates for the position of Director;
- (2) supervise the Director in cooperation with the Director of the Office for the Protection of Children and Youth (OPCY);
- (3) advise the Archbishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry (Cf. *USCCB Charter*, art. 2, and *USCCB Essential Norms*, §4.A.);
- (4) offer advice on all aspects of these cases, whether retrospectively or prospectively (Cf. *USCCB Essential Norms*, §4.C.);
- (5) make such other recommendations that the Review Board in its sole discretion determines to be appropriate to reduce the risk to minors;
- (6) recommend guidelines for the inquiries of the Director and the proceedings of the Review Board;
- (7) review these policies and procedures for dealing with sexual abuse of minors; (Cf. *USCCB Essential Norms*, §4.B);
- (8) cooperate with the the Office for the Protection of Children and Youth, the Vicar for Priests, the Vicar for Deacons, and other appropriate officials in developing and implementing educational programs for themselves and those participating in this process; and
- (9) seek the advice of such experts and consultants as the Review Board deems necessary and appropriate.

Procedure

If a cleric admits to the truth of an incident of sexual abuse with a minor or personally reports such an allegation to the Archbishop or his representative, while it is not necessary for the Review Board to advise the Archbishop regarding the semblance of truth of the incident, the matter shall be reported to the Review Board.

§1104.5. Director of the Office for Child Abuse Investigations and Review

1104.5. Policy The Director shall assist the Review Board in the performance of its duties.

§1104.5.1. Qualifications

1104.5.1. Policy The Director shall be a lay Catholic professional who maintains appropriate qualifications and substantial experience in investigation and analyzing allegations of sexual abuse of minors.

§1104.5.2. Appointment and Conditions of Employment

1104.5.2. Policy The Archbishop shall appoint and may remove the Director with the advice of the Review Board.

Procedure

The Director shall be compensated and evaluated according to such schedules as may be applicable to other Archdiocesan employees of comparable responsibilities and experience.

§1104.5.3. Duties

1104.5.3. Policy Under the supervision of the Review Board the Director shall have the duty to:

- (1) receive information and allegations of sexual abuse of a minor by a cleric
- (2) report to the civil authorities any allegation (unless canonically privileged) of sexual abuse of a person who is a minor, cooperate with civil authorities about reporting in cases when the person is no longer a minor, comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and cooperate in their investigation in accord with the law of the jurisdiction in question. In every instance, the Director shall advise accusers of their right to make a report to civil authorities and will support this right. (Cf. *USCCB Charter*, art. 4, and §§ 1104.2 and 1104.7.1 of these policies).
- (3) promptly ensure the accuser and the accused are interviewed in accord with canonical practice, which includes committing the information to written form and allowing the person interviewed to review, edit and sign what has been committed to writing;
- (4) communicate in an appropriate manner with the accuser or person making an allegation, the Assistance Minister, the affected cleric, the Vicar for Priests, Vicar for the Deacons, the Archbishop, the Review Board and such other persons as the Archbishop or Review Board may designate;
- (5) assist the Review Board by preparing and submitting reports pertaining to allegations and requests and such other information as may be appropriate;
- (6) make and document such investigations of all allegations of sexual abuse of a minor as the Archbishop or Review Board deems useful in making the determinations required by this Section 1100 et seq.
- (7) assist the Archbishop and his Delegate by preparing and submitting reports summarizing the allegations, the responses of accused clerics, and the Review Board's determinations and recommendations;
- (8) perform such other duties as may be prescribed by the Archbishop, his Delegate, or Review Board.

Procedure

The Case Manager of the Prayer and Penance Program shall work with the Vicar for Priests to ensure the compliance of the cleric with the program of prayer and penance; this program is to include treatment, rehabilitation and supervision. The Case Manager, Vicar for Priests or Vicar for Deacons shall work cooperatively in the selection of professionals and institutions to evaluate, diagnose and treat cleric. The Vicar for Priests is primarily responsible for The Vicar for Priests is primarily responsible for pastoral and spiritual life concerns and treatment questions that require a sensitivity to confidences.

§1104.6. Receipt of Information

1104.6. Policy To assist the Director, the Archdiocese shall establish and publicize a separate telephone number to facilitate receipt of information. The Director will answer calls during business hours and an appropriate recording system shall be used at other times.

§1104.7. Confidentiality and Disclosure of Information

1104.7. Policy Information generated in connection with the process set forth in Sections 1104.4 and 1104.5 shall be maintained in a confidential manner and may only be disclosed as determined by the Review Board.

Procedures

- a) The Director is the custodian of all information described in Sections 1104.4 and 1104.5 and shall develop an appropriate record keeping system to ensure accountability for and security of the information in accordance with Archdiocesan Record Keeping Policies and in consultation with the Archdiocese of Chicago's, Archives and Records Center.
- b) The Director shall maintain the information in a confidential fashion and may not disclose such information except as follows:
 - 1) the Director shall provide the accused cleric with information sufficient to enable the cleric to respond to the allegation; either party may have access to his or her own statements pertaining to the allegation or response and may offer them to be incorporated into the record; the Director may provide both the person making the allegation and the accused cleric with such additional information as necessary to process the allegation;
 - 2) after the Archbishop has made a decision in a matter brought before the Review Board, the Director shall provide the person making the allegation and the accused cleric with appropriate and timely information about the Review Board's determinations and recommendations and the Archbishop's actions;
 - 3) the Director shall provide access to information to the Review Board, the Archbishop, the Archbishop's delegate and other persons the Archbishop may designate;
 - 4) the Director shall provide access to information to the proper Ordinary in connection with allegations about a member of a religious congregation or another diocese;
 - 5) the Director shall disclose such information as may be required by law; and

- 6) the Archdiocese shall develop a communications policy that reflects its commitment to transparency and openness. Within the confines of respect for the privacy and the reputation of the individuals involved (*Code of Canon Law c. 220*), the Archdiocese will deal as openly as possible with members of the community. This is especially so with regard to assisting and supporting parish communities directly affected by ministerial misconduct involving minors. (*USCCB Charter, art. 7*)

§1104.8. Immediate Inquiry and Actions

1104.8.1. Policy Upon receipt of the allegation of sexual abuse of a minor by a cleric who has faculties from the Archdiocese of Chicago, the Director shall promptly report such allegation to the civil authorities, comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities, and will cooperate in their investigation in accord with the law of the jurisdiction in question. The Director shall also provide the person making the allegation with a statement containing information about the right to make a report of such allegations to civil authorities and will support this right. (Cf. *USCCB Charter, art. 4, USCCB Essential Norms #11, and §§1104.2 and 1104.4.3(2) of these policies*).

Procedures:

- a) The Director shall promptly report the allegation of sexual abuse of a minor by a cleric to the Archbishop and to the Vicar General, the Archbishop's delegate to the Review Board, the Director of the Office for the Protection of Children and Youth, the Chancellor, the Vicars for Priests or Vicar for Deacons, General Counsel of the Archdiocese, the Director of the Office of Assistance Ministry, the Director of Communications and Public Relations, the Chairperson of the Review Board and such other persons that the Archbishop may designate.
- b) The Director shall as promptly as possible make and document such investigations of all allegations as the Archbishop or Review Board shall deem useful, which shall include without limitation review the accused's files, solicit whatever other information about the cleric that may be directly available, make appropriate inquiries about the allegation, interview the appropriate parties and prepare a report of all available information for presentation to the Review Board.

1104.8.2. Policy The Director shall promptly assess whether the safety of children requires interim action and promptly communicate a recommendation to the Archbishop. If there is reason to suspect that the accused abuse of a minor, the interim action will include requiring the accused to step aside from public ministry.

Procedures:

- a) In making an assessment and recommendation for interim action, the Director shall consult with those designated by the Archbishop who are involved in administering issues related to the allegation.
- b) Interim action may include temporary withdrawal from ministry⁴, restrictions or other actions deemed appropriate by the Archbishop. If the ministry of the cleric who is the subject of interim action involves contact with children or is located at a site where children are present, such as a school or religious education program, the appropriate personnel shall be notified of the fact of the allegation and its circumstances; they will be consulted on the interim action to be taken.
- c) The Vicar for Priests or the Vicar for Deacons shall inform the cleric of the allegation, make certain that he is advised to seek canonical and civil legal counsel and arrange for his interview by the Director. The accused cleric may be requested to seek, or urged voluntarily to comply with, an appropriate medical and psychological evaluation mutually acceptable to the Archdiocese and the accused, so long as this does not interfere with the investigation by civil authorities. (Cf. *USCCB Charter*, art. 5, and *USCCB Essential Norms*#7)

⁴ In accord with Canon 223, §2 and in the spirit of *USCCB Essential Norms* #9, temporary withdrawal is an immediate action of the Archbishop done for the safety of minors, the protection of the cleric and the well being of the Church. The purpose of temporary withdrawal is to provide quickly an opportunity to assess the risk to minors, the situation of the cleric and the urgent needs of the Church. It involves the cleric removing himself at once from a ministerial site, and may also involve other specifications, such as elements of supervision. It is for a determined period of time and is in effect only until the Review Board can meet to evaluate the allegation as an Initial Review. It is not a judgment of guilt, and it is not equivalent to a canonical suspension or any other penal sanction. It does not affect any ecclesiastical office that the cleric may hold, and it does not affect his salary. It will be done in a written form that contains the reasons for the withdrawal (Canons 37, 51). At the time of his withdrawal, the cleric will be temporarily dispensed from any obligations that he might be unable to fulfill during his withdrawal (Canon 87, §1). At the time of this action by the Archbishop, the cleric will be apprised of his canonical and civil legal rights (*USCCB Essential Norms* #6). At the time of the action, some individuals in positions of responsibility in the parish or institution will be informed of the Archbishop's request and stipulations. Should there be any publicity associated with a temporary withdrawal, every effort will be made not to harm illegitimately the good reputation of the cleric nor to injure his right to protect his own privacy (Canon 220, *USCCB Essential Norms* #13). Should the cleric not cooperate with the temporary withdrawal, at all times, the Archbishop has the executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry (Cf. cc. 35- 58, 149, 157, 187-189, 192-195, 277 §3, 381 §1, 383, 391, 1348 and 1740- 1747).

§1104.9. Initial Review

1104.9. Policy The Review Board shall meet to conduct an Initial Review within 90 days after the Director has received the allegation. With the advice of the Director, the Review Board may delay scheduling the Initial Review for a good reason, such as to await the completion of action by civil authorities. However an Initial Review shall not be postponed because of long and unnecessary delays (e.g., Canons 1593 & 1622, 3°). Notwithstanding the policy, if interim action has been deemed necessary, the matter shall be presented to the Review Board for an Initial Review on an expedited basis.

Procedure:

Upon receiving the allegation, the Director shall obtain the pertinent information from the accuser or other responsible source(s) within 30 days. The accused shall be given an ensuing 30 days to respond to the allegation. Ordinarily, all information and responses shall be in the form of signed statements.

§1104.9.1. Questions for Review

1104.9.1. Policy At the Initial Review meeting, the Review Board shall advise the Archbishop:

- (1) whether the information received warrants investigation and a canonical Preliminary Investigation should begin (cf. Canon 1717, §1);
- (2) whether the interim actions recommended by the Director were appropriate to provide for the safety of minors;
- (3) of its recommendations regarding the scope and course of the investigation;
- (4) whether the Archdiocesan investigation should be deferred, partially or entirely, for a reasonable period of time so as not to interfere with the investigation conducted by civil authorities; and
- (5) what further interim action should be taken, and
- (6) whether the allegations warrant no further investigation and the matter and the file should be closed.

Procedure

- a) The Review Board shall consider the Director's investigative report, information provided by the Archbishop's delegate or other persons identified by the Archbishop, and any other information that the Review Board believes helpful and is able to obtain. In situations where the accused has access to minors, the absence of signature shall not unnecessarily delay the consideration of an allegation.
- b) If the Review Board determines that the matter bears further investigation and the Initial Review, such action shall not be construed as an indication that the allegation against the cleric is meritorious or deemed to reflect adversely, in any manner, on the

cleric. Rather, such action shall only signify the Review Board's duty to fully obtain all available facts and information regarding an allegation prior to reaching a final determination in the matter.

§1104.9.2. Recommendations

1104.9.2. Policy The Review Board shall make recommendations to the Archbishop about the following:

- (1) if the cleric has already temporarily withdrawn from ministry pending inquiry, whether such withdrawal should continue as a canonical removal under Canon 1722;
- (2) if the cleric has not temporarily withdrawn from ministry, whether he should be canonically removed under Canon 1722;
- (3) if the cleric's conduct does not constitute sexual abuse of a minor but is otherwise inappropriate, whether further action is warranted and suggestions as to such action; and
- (4) other recommendations that the Review Board may feel necessary.

§1104.9.3. Preliminary Investigation

1104.9.3. Policy If the Archbishop accepts the Review Board's determination from the Initial Review that the information received warrants further investigation, a canonical Preliminary Investigation, in harmony with Canon Law, shall be initiated and conducted promptly and objectively, unless such an inquiry seems entirely superfluous, e.g., due to compelling evidence or the cleric's admission of the alleged abuse (c. 1717). All appropriate steps shall be taken during the investigation to protect the reputation of the accused and of the person making the allegation. (Cf. *USCCB Charter*, art. 5, and *USCCB Essential Norms* #6)

Procedures

- a) The Director shall promptly notify the Archbishop of the Review Board's determination. Upon receipt of the Archbishop's acceptance or rejection of the Review Board's determination, the Director shall as soon as possible notify the accuser and the accused of the Review Board's determination and the Archbishop's acceptance thereof, and if the matter warrants further investigation, request each party submit within 30 days any additional information available to such party that will aid the Review Board in reaching its final determination in the matter.
- b) The Archbishop shall appoint a lay auditor (cf. canon 1428) to conduct the Preliminary Investigation in accord with Canon 1717. The Director shall automatically serve as the Auditor unless the Archbishop appoints another to do so. Because a canonical Preliminary Investigation has been decreed, the continuation, or

initiation, of the removal of the cleric from a ministerial site shall be done according to the norm of Canon 1722.

- c) The further investigation recommended by the Review Board and the instruction of the Preliminary Investigation shall be done concurrently.
- d) Under the supervision of the Archbishop or his delegate and in cooperation with the Review Board, the auditor may retain whatever professional assistance is necessary and appropriate to conduct a thorough investigation of an allegation.
- e) The Auditor conducting the Preliminary Investigation shall prepare oral and written reports of these inquiries containing the findings of such investigations within sufficient time for the appropriate canonical process and the Review Board to complete their duties. These reports should include descriptions of actions taken by the Director, such additional inquiry as may be required, and identification of information that was not available to the Director and why that information was not available.

§1104.10. Review for Cause

1104.10. Policy A Review for Cause shall ordinarily be initiated and scheduled, subsequent to the Initial Review, no later than 60 days after the Initial Review. The Review Board may delay scheduling the Review for Cause for a good reason, such as to await the completion of action by civil authorities.

§1104.10.1. Questions for Review

1104.10.1. Policy At the Review for Cause the Review Board shall determine whether there is reasonable cause to believe that the accused has engaged in sexual abuse of a minor.

§1104.10.2. Recommendations

1104.10.2. Policy The Review Board shall make appropriate recommendations to the Archbishop about the following:

- (1) if it has found that there is reasonable cause to believe that the accused has engaged in sexual abuse of a minor, thereby removing the cleric from ministry, whether supervision and other restrictions should be put in place pending the canonical conclusion of the matter;
- (2) if it has been found that there is not reasonable cause to believe that the accused has engaged in sexual abuse of a minor,
 - i) whether the file should be closed at this stage of the proceedings;
 - ii) whether the file should be held open for some reason;
 - iii) if the cleric's conduct does not constitute sexual abuse of a minor but is otherwise inappropriate, whether further action appears warranted and suggestions as to possible action; and
 - iv) such other matters as the Review Board deems appropriate.

§1104.11. Withdrawal from Ministry

1104.11. Policy When, in accordance with Canon Law, there is reasonable cause to believe that the accused has engaged in sexual abuse of a minor, the Congregation for the Doctrine of the Faith shall be notified. If it has not already been done, the Archbishop shall apply the precautionary measures provided for in Canon 1722, i.e., remove the accused from sacred ministry or from any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public celebration of the most Holy Eucharist pending the outcome of the process. (Cf. *USCCB Essential Norms* #6)

Procedure

Before initiating a judicial or administrative process to impose or declare penalties, the Archbishop should seek the cleric's voluntary cooperation to avoid or repair scandal, restore justice and reform the offender through various means of pastoral solicitude. (see c. 1341)

§1104.12. Supplementary Review

1104.12. Policy The Review Board, solely at its discretion, may conduct such Supplementary Reviews as it deems necessary to discharge its duties. A request for a Supplementary Review may be made to the Review Board by the Archbishop or his delegate, the Director or, a person making the allegation or the accused cleric.

Questions for Supplementary Review

1104.12.1. Policy The Review Board shall consider new and previously unavailable information about a determination or recommendation made in connection with a prior review, exercise its responsibility as described in Sections 1104 and 1105.

§1104.12.2. Requesting the Supplementary Review

1104.12.2. Policy Requests for Supplementary Review shall be made in writing to the Director, and shall include the new information that was not previously considered by the Review Board, as well as a statement of the applicant's position with respect to the matter and any supporting explanation.

Procedures:

In determining whether or not the Supplementary Review is to be conducted, the Review Board shall assess among other things:

- 1) whether the information presented was not previously available to the Review Board;
- 2) whether the information is new and was not available to the individual requesting the Supplementary Review at the time the matter was considered by the Review Board;
- 3) whether the new information is material to the allegation; and
- 4) whether the request for the Supplementary Review was made in a timely manner.

1104.12.3. Policy If the Review Board determines that it shall conduct a Supplementary Review, it shall review all information, newly acquired as well as that considered at the earlier Review for Cause. The Supplementary Review shall be scheduled no later than sixty (60) days after such determination. In conducting the Supplementary Review, the same practices and protocols as a Review for Cause shall be observed. The applicant may request to meet with the Review Board during a Supplemental Review which the Review Board may grant at its discretion.

Procedure

In determining that it will conduct a Supplementary Review, the Review Board may request further information and investigation.

§1104.12.4. Determinations and Recommendations

1104.12.4. Policy In conducting a Supplementary Review, the Review Board may make the same kinds of determinations and recommendations as in the prior Review for Cause, and make such other determinations and recommendations as it deems appropriate.

§1105 CANONICAL RESOLUTION AND CONCLUSION

Section 1105 recognizes that a cleric who has admitted or been found to have engaged in sexual abuse of a minor may never return to ministry. We repeat the words of His Holiness John Paul II in his Address to the Cardinals of the United States and Conference Officers: "There is no place in the priesthood or religious life for those who would harm the young."

§1105.1. Permanent Removal from Ministry

1105.1. Policy When even a single act of sexual abuse by a cleric is admitted or is established after an appropriate process in accord with Canon Law, the offending cleric shall be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants (c. 1395, §2). The policy shall be to apply for the penalty of dismissal from the clerical state. If after considering the danger of scandal to the community, dismissal from the clerical state is not done for reasons of advanced age or infirmity, the offender is to lead a life of prayer and penance. While affording every opportunity to the offender for conversion of heart and forgiveness through sacramental reconciliation, and recognizing the abundant mercy of God's infinite graces, the Church also acknowledges that: the safety of the vulnerable requires that certain measures be taken, the integrity of the Church must be preserved, the need to do penance for one's sins is part of forgiveness and that there are consequences for wrongful actions. Removal from ministry is required whether or not the cleric is diagnosed by qualified experts as suffering from a sexual disorder that requires treatment. (cf. 2006 *USCCB Essential Norms*, §8, footnote 4).

In every case involving canonical penalties, the processes provided for in Canon Law must be observed, and the various provisions of Canon Law must be considered (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995; *Graviora Delicta*, Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, it shall direct the Archbishop how to proceed (Article 13, "Procedural Norms" for *Motu proprio Sacramentorum sanctitatis* tutela, AAS, 93, 2001, p. 787). If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the Archbishop shall apply to the Congregation for the Doctrine of the Faith for a dispensation from the prescription, while indicating appropriate pastoral reasons. For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the Archdiocese shall supply canonical counsel to a cleric. The provisions of canon 1722 shall be implemented until all canonical processes have been concluded. Because sexual abuse of a minor by a cleric is a crime in the universal law of the Church (c. 1395, §2) and is a crime in all jurisdictions in the United States, for the sake of the common good and observing the provisions of Canon Law, the Archbishop shall exercise this power of governance to ensure that any cleric who has committed even one act of sexual abuse of a minor as described above shall not continue in active ministry. (2006 *USCCB Essential Norms*, #9, especially footnote 6)

§1105.2. Laicization

1105.2. Policy After even a single act of sexual abuse by a cleric is admitted or is established to have taken place by a process completed in accord with canon law, every effort shall be made to encourage him to request laicization. Should he not do so, the Archdiocese shall pursue his involuntary laicization unless for reasons of advanced age or infirmity, he shall lead a life of prayer and penance.

§1105.3. Life of Prayer and Penance

1105.3.1. Policy After a single act of sexual abuse by a cleric is admitted or is established by a process completed in accord with Canon Law, if for some reason dismissal from the clerical state has not been applied for, the cleric shall live a life of prayer and penance. He shall be subject to supervision for the remainder of his life as a cleric of the Archdiocese and his file shall remain open. Clerics under supervision are canonically assigned full time to a supervised monitoring program in an approved residence which requires a transparency of lifestyle and behavior, as well as accountability, to the Case Manager of the Prayer and Penance Program (Canon 274, §2). If the cleric refuses to accept and fulfill this assignment, he shall be removed permanently from the ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants (2006 USCCB Norms, #8).

Procedure

Treatment of those who have engaged in the sexual abuse of minors is considered, in the light of the experience and research presently available, an ongoing and lifelong process.

1105.3.2. Policy The program of supervision for those who have admitted to or established by a process in accord with Canon Law that they have engaged in sexual abuse of minors shall be conducted by the Case Manager for the Prayer and Penance Program under the oversight of the Director of the Office for the Protection of Children and Youth. The protocols, procedures and practices of the program must reflect the primary goals of protecting minors and the integrity of the church. The protocols, procedures and practices must also emphasize accountability.

Procedure

The primary purposes of supervising those who have engaged in sexual abuse of minors are the safety of children and the integrity of the Church. The programs need to be flexible to recognize individual circumstances and the fact that knowledge and insight continue to develop. They should be evaluated periodically for this reason. This program should also recognize, in an appropriate way, redemption and forgiveness and seek to provide hope for those dealing with the dysfunction that causes sexual abuse. It must be consistent and fair, and the application in a given case not be arbitrary, but recognize individual circumstances.

1105.3.3. Policy The protocols, procedures and practices of the supervision program shall be applied on a case-by-case basis but must include certain essential components. Implementation of each case shall be documented and retained in the appropriate file.

Procedures

The essential components of supervision shall include, but not necessarily be limited to:

- 1) report to the Archbishop and the Review Board on a regular basis for each cleric under supervision;
- 2) a written protocol signed by the cleric which sets forth the particulars applicable to him;
- 3) restriction from being alone with anyone under the age of 18;
- 4) withdrawal of all archdiocesan canonical faculties, as well as a penal precept admonishing him not to celebrate Mass or the sacraments publicly, not to wear clerical garb and not to present himself as a priest or deacon and, with respect to a deacon, to not engage in any diaconate ministry, liturgically or otherwise;
- 5) periodic psychological and physical evaluations;
- 6) regular individual spiritual direction, as well as a commitment to prayer for victims of sexual abuse;
- 7) full communication with program Directors and others as appropriate in the cleric's residence in order that they are apprised and able to assist in the program; and
- 8) an annual meeting of the cleric, the Director, the Case Manager of the Prayer and Penance Program, and the Vicar for Priests to review the protocols of the particular supervision program.

1105.3.4. Policy Failure to cooperate with a protocol, procedure or practice of the supervision program shall result in an appropriate consequence, which may be canonical, financial or otherwise.

§1106 CLERGY RECORDS

Section §700 Archdiocese of Chicago Unified Priest Personnel Record Keeping Policies requires the Archdiocese to maintain a unified priest personnel record keeping system to enable accountability for the assignments and full ministerial record of a priest. The policies similarly apply to the Permanent Deacons of the Archdiocese of Chicago. Under the unified system, the record of a cleric shall commence upon his entry into training and is maintained throughout his career. In the event of an allegation of sexual abuse of a minor, all files, information and records pertaining to the accused cleric are subject to review.

§1106.1. Status of Files, Information and Records

1106.1. Policy As stated in the general policies, all files and records of the Archdiocese of Chicago of any cleric are canonically external forum. In addition, the files, records and information shall be considered confidential and restricted; disclosure shall be made only in accord with Archdiocesan policies and Canon Law (e.g., Canon 489, §1). All such disclosures shall be made in a manner consistent with the privileges or other legal restrictions. All other requests for files, records and information about a cleric shall be considered by the Chancellor, in consultation with those affected by such a disclosure. In the event of an allegation of sexual abuse of a minor all files and records of a cleric shall be disclosed by the Chancellor to the Archbishop and:

- (1) to the Director, upon request, as contemplated in Sections 1104 and 1105 of these policies and procedures;
- (2) upon request of the cleric, to him as well as to his civil attorney and his Advocate; and
- (3) upon receipt of an allegation of sexual abuse of a minor by the cleric, to civil legal authorities upon appropriate request and subject to appropriate confidentiality.

Procedures:

- a) All requests for records must be made in writing to the Chancellor. It is the responsibility of the Chancellor to have the material reviewed for compliance with legal practice and to structure the sharing of the material.
- b) Whether through file transfer, duplication or any other means, the sharing or dissemination of any file material must be noted in the file in writing.
- c) In the event that the file material is shared or disseminated, the cleric shall be so advised.

- d) Should the cleric be accused of sexual abuse of a minor, in order to provide for his defense, all applicable material not prohibited by law may be duplicated and retained by the cleric, as well as by both his civil attorney and advocate. Before duplication, the requesting party shall be required to sign a prepared agreement which sets forth the confidentiality associated with the material and the terms of the use, including the return or destruction of the duplicates.
- e) The Chancellor shall determine the extent of the duplication of the material that is done and the assignment of the costs of the duplication.

§1107 VULNERABLE ADULTS

1107.1. Policy The policies and procedures provided for in this Section 1100 shall also apply to allegations of sexual abuse of vulnerable adults by clerics as contemplated by the Charter, where applicable.

§1300 RETIRED PRIESTS

§1301 GENERAL POLICIES FOR RETIREES

The Presbyteral Council fully supports the notion of senior ministry and encourages our priests who have reached the age of 70, and in accord with diocesan regulations have resigned from the pastorate or some other administrative or associate position, to continue to exercise other forms of priestly ministry to the extent they choose and are physically able.

§1301.1. Pensions and Housing

1301.1. Policy All Archdiocesan Priests upon retirement shall be entitled to a pension varying in amount according to age at retirement and place of residence. They also shall have the right to adequate housing in a parish or Archdiocesan institution.

§1301.2. Estate and Planning

1301.2. Policy By the time of retirement, all priests shall have an estate plan.

Procedures

An estate plan must include:

- a) A current will.
- b) A power of attorney for health care, a power of attorney for property or other such legal devices to take care of him during serious illness or incapacity.
- c) Such other legal devices as a living trust, annuity, etc., as the priest, in conjunction with an estate planner, deem appropriate to care for his financial matters.
- d) A personal inventory sheet filed with the Pastoral Center.

§1301.3. Professional Allowance

1301.3. Policy The retired priest shall receive the annual professional growth allowance determined by the *Diocesan Priests Benefits Archdiocese of Chicago*. This money shall be used for retreats, continuing education, books, workshops, etc.

Procedures

The professional allowance is usually paid by the parish or institution from which the priest retired. If no funds are available, the Priests' Retirement and Mutual Aid Association (PRMAA) will reimburse the retired priest annually upon submission of an itemized list of expenditures.

§1302 RETIRING PASTOR DECIDING TO LIVE IN THE RECTORY OF THE PARISH FROM WHICH HE RETIRES

§1302.1. Residence

1302.1. Policy The retiring pastor, at the time of his retirement, shall have the option of staying in the rectory or in other residence located on the parish grounds of the parish from which he is retiring, subject to the following conditions:

- (1) There is space available.
- (2) He vacates the pastor's quarters.
- (3) He does not have any health problems which demand extraordinary care, and --
- (4) The first three conditions are verified by the Vicar for Senior Priests and the Vicars for Priests.
- (5) Upon the arrival of the new pastor, the retiring pastor shall leave the parish for three months.

A Board, made up of the Vicar for Senior Priests, his Ombudsman, the local Vicar, the Vicars for Priests, and the local Dean shall evaluate and decide the continuous residence of the Emeritus in the event there is some conflict.

Procedures

- a) The room and board of the retired pastor is part of his retirement pension. It is compensation for past, not present services. All ordinary services should be provided, such as laundry, room cleaning, secretarial, private phone for local calls and a garage, if available. The retired priest should also be compensated for meals which are not provided by the rectory/institution. (See *Diocesan Priests Benefits Archdiocese of Chicago*)
- b) The retired pastor is free from all assignments. How far he wishes to be involved in parish ministry should be clarified in each individual case. Other priests in the house should not presume that he is willing to be "on call" simply because he will be on hand.
- c) The retired pastor is entitled to the usual visitor compensation for Sunday and Holy Day assistance and Confessional assistance, etc.
- d) The retired pastor must not take for granted that his successor understands his willingness to work, but should make known his desire to help and the extent to which he is willing to help.
- e) The retired pastor should be made to feel the rectory is his home and that he is free to invite his friends.

- f) The retired pastor should understand that the administration of the parish is no longer his concern, and must be left to the new pastor. He should do everything he can to support the new pastor. He should also help to make the rectory a happy home.

§1303 THE RETIRING PASTOR LIVING IN A PARISH RECTORY OTHER THAN THE ONE FROM WHICH HE RETIRED

§1303.1. Residence

1303.1. Policy The retiring pastor who chooses to live in a rectory other than the one from which he retired or an Archdiocesan institution shall be free to make arrangements with a pastor or administrator who is willing to receive him into some other parish or Archdiocesan institution.

Procedures

- a) If difficulty is encountered in finding such a parish or Archdiocesan institution, the retiring pastor may consult with the Vicar for Senior Priests and seek his assistance. The parish or institution which receives the retiring pastor is entitled to and will receive a sum of money equal to the priest's pension as compensation for room and board. The sum of money will be in keeping with the scale determined by the Priests' Retirement and Mutual Aid Association.
- b) The procedures in §1302 apply here.

§1304 RETIRING NON-PASTORS

§1304.1. Residence

1304.1. Policy Upon the completion of a five or more year tenure, associate pastors, teachers or agency priests shall have the option to remain in the rectory or institution of their last appointment subject to the following conditions:

- (1) There is space available.
- (2) They do not have any health problems which demand extraordinary care.
- (3) Their stay is acceptable to the pastor or administrator.

Procedures

- a) The retiring non-pastor who does not have such an option as mentioned in Policy 1304.1. should have the assistance of the Vicar for Senior Priests in finding a suitable place to live.
- b) The parish or Archdiocesan institution will receive a sum equal to the priests' pension as compensation for room and board.
- c) The procedures in §1302 apply here.

§1305 COMPENSATION FOR RETIRED PRIESTS SERVING AS PAROCHIAL ADMINISTRATORS

1305.1. Policy If a retired priest is appointed administrator of a parish, his pension benefits shall remain unchanged and, in addition, he shall be entitled to receive from the parish a full pastor's compensation, with the appropriate seniority increments corresponding to the number of years of priestly service since ordination; however, the seniority increment corresponding to the number of years of priestly service since ordination shall not accrue beyond the age of seventy.

§1306 VICAR FOR SENIOR PRIESTS

§1306.1. Ministerial Services

1306.1. Policy The office of the Vicar for Senior Priests shall provide several personal ministerial services to the retired priests of the Archdiocese.

Procedures

- a) "Sursum Corda" is a monthly newsletter providing news bits, wit, humor, and birthday remembrances for Senior Priests.
- b) An open-listing of housing for Senior Priests seeking a specific ministry setting is kept by the Office.

- c) Birthday cards, golf outings and annual gatherings with the Archbishop are arranged through the Office.
- d) In cases of dispute in a parish setting, the Vicar and Assistant Vicar have been designated by the Presbyteral Council to facilitate an acceptable arrangement or proceed to a formal process for reconciliation.

§1306.2. Medicare

1306.2. Policy Priests not participating in Social Security and thus not eligible for Medicare Part A & B at retirement, shall be required to pay the difference in costs (monthly) of the current rate for Medicare Part A and the Archdiocesan insurance premium. This policy, because of grandfathering, shall not affect anyone until 1997.

§1307 SABBATICALS

1307.1. Policy The policies regarding Sabbaticals for retired priests shall be the same as those for all diocesan priests. (§505 *Sabbatical Program*)

Procedures

The following guidelines apply to retired priests requesting a sabbatical. These guidelines have been jointly established by the Sabbatical Board and the Priests' Retirement and Mutual Aid Association (PRMAA).

- a) Retired priests should continue to receive their monthly pension check from PRMAA in the same amount as before beginning their sabbatical. The sabbatical does not change the status of such priests.
- b) Supplemental income provided by parishes should be determined by the pastor in consultation with the retired priest. This may vary according to circumstances.
- c) Tuition, room and board costs or their equivalent are paid by the Archdiocese through the Center for Development in Ministry.
- d) Sabbaticals for retirees will only be considered within the first 3 years of retirement (see Policy 505.1(i)).

§1400 PARTICIPATION OF PRIESTS IN SOCIAL SECURITY

§1401 PARTICIPATION REQUIREMENTS

1401.1. Policy Beginning with the ordination class of 1992, all priests ordained for or incardinated into the Archdiocese of Chicago shall be required to participate in and pay social security self-employment tax.

§1402 SELF-EMPLOYMENT TAX

1402.1. Policy Since the self-employment tax designation exists, the Archdiocese shall reimburse each diocesan priest-participant one-half of his social security tax (SECA).

Procedures

The one-half of the social security tax is to be paid by the parish or agency to which the priest is assigned. The arrangement for payment is determined locally.

§1500 EXTERN PRIESTS

Extern priests are those priests living outside the jurisdiction of their diocese or religious community.

§1501 MINISTRY

1501.1. Policy With due regard for the faculties granted to priests according to canon law, all priests who are not incardinated in the Archdiocese of Chicago shall be required to obtain the permission and faculties of the Archdiocese in order to exercise a ministry which involves the care of souls, the public exercise of divine worship, or some other work of the apostolate on a stable basis, that is, for six months or longer (cf. cc. 392 and 678, §1). A priest who is expected to be present in the Archdiocese for less than six months may be permitted to celebrate the sacraments if he is known to the pastor or rector of the church or if he presents a valid *celebret* issued by his ordinary or superior within the year, certifying that he is a priest in good standing with faculties granted by the Code of Canon Law (c. 903).

§1502 RESIDENCE

1502.1. Policy Extern priests shall not be accepted for residence in a rectory or religious house without prior written permission of the Diocesan Priests' Placement Board.

§1503 EMPLOYMENT

1503.1. Policy Employment of an extern priest shall not commence until approval is received from the Diocesan Priests' Placement Board.

1503.2. Policy The Diocesan Priests' Placement Board shall not grant approval for employment of an extern priest unless he has the permission and required certification of good character from his diocesan bishop or religious superior.

1503.3. Policy It shall be the responsibility of an extern priest from a foreign country to comply with all applicable immigration laws and regulations, including, where applicable, any needed authorization to be employed. Necessary letters of invitation or sponsorship shall be provided by the Diocesan Priests' Placement Board, as required and appropriate, to assist an extern priest in securing his required immigration status.

§1504 FUNDRAISING

1504.1. Policy As a general rule, extern priests shall not be permitted to engage in fundraising activities. An exception may be made on a limited basis if the priest is requested in writing by his bishop or religious superior to do so and has the previous written consent of the Chancellor's Office and, as appropriate, the Catholic Missions Office.

§1505 FACULTIES

1505.1. Policy Faculties for extern priests are granted by the Diocesan Priests' Placement Board only upon presentation of a letter of permission from their proper Ordinary, in accord with the requirements of any pertinent agreement between the United States Conference of Catholic Bishops (USCCB) and the proper episcopal conference of the extern priest. As a general rule, faculties are granted only to priests residing in a rectory or a religious house.

1505.2. Policy Religious priests who are externs shall be granted faculties by the Chancery only upon written presentation by the competent religious superior (cf. c. 971). (The term "religious priest" is intended to include priests who are members of institutes of consecrated life, societies of apostolic life, personal prelatures, associations of the Christian faithful, and any other forms of non-diocesan priestly communities.)

1505.3. Policy The issuance, denial, extension or revocation of faculties, as well as any condition on their exercise or duration, are, in accord with the norm of law, within the sole discretion of the Diocesan Priests' Placement Board.

Procedures

- a) Extern priests may apply for faculties in the Archdiocese by completing a written application form available from the Office of the Archbishop. This is necessary to determine that the priest has proper

authorization for ministry in the Archdiocese under both canon law and federal immigration laws.

- b)** In addition, each extern priest must provide a letter from his proper Ordinary indicating the priest's current status, permission for his ministry in the Archdiocese of Chicago, the length of time for such permission, an indication of his ministerial background and experience, and a description of any other special considerations pertaining to the priest's stay here.

This letter must also contain a statement about the priest's current status, background, character and reputation. Any confirmed record or history of an untreated problem with substance abuse, violations of celibacy, sexual impropriety, physical abuse, or financial impropriety must be reported. In particular, the priest's proper Ordinary must certify that he is unaware of anything in the priest's background which would render him unsuitable to work with minors. In the case of any incident of sexual misconduct with a minor, the extern priest's proper Ordinary must submit to the Archbishop a comprehensive report of the allegation and its disposition. Information provided in connection with this procedure shall be made available to the Offices of the Archbishop and the Chancellor, and as appropriate, to the members of the Professional Conduct Administrative Committee and/or the Professional Fitness Review Administrator and Review Board. The information will be maintained in a confidential manner.

- c)** If required by any pertinent agreement between the USCCB and the episcopal conference of the extern priest, appropriate letters must also be provided by the USCCB's Office for the Pastoral Care of Migrants and Refugees and the proper episcopal conference of the extern priest.
- d)** As provided by canon 271, these procedures and the extern priest's letter of appointment shall constitute the written agreement describing the extern priest's rights and duties in his ministerial assignment.

§1506 SEXUAL MISCONDUCT WITH A MINOR

1506.1. *Policy* Extern priests shall abide by the Archdiocesan policies and procedures relating to sexual misconduct with minors. (See §1100)

Procedure

- a) If an extern priest exercising public ministry or an apostolate in the Archdiocese of Chicago is accused of sexual misconduct with a minor, the Archdiocese must confer with the competent ordinary. The Archdiocese will determine whether or not the priest may continue to exercise a ministry which involves the care of souls, the public exercise of divine worship, or some other work of the apostolate (cf. cc. 392 and 678, §1). If the Archdiocese determines that an extern priest may no longer exercise any ministry in the Archdiocese, his faculties will be revoked, and his proper Ordinary will be requested to recall the priest immediately.

- b) If sexual misconduct with a minor is alleged to have occurred, the Archdiocese retains the right to initiate the process of investigation and follow-up with the Fitness Review Administrator and Review Board and take whatever action it deems appropriate. Any determination about return to ministry and restoration of faculties will be made according to Archdiocesan policies and procedures.

§1507 TENURE

1507.1. Policy The status of each extern who has been in the Archdiocese for three years or longer shall be reviewed.

Procedures

- a) If an extern priest is engaged in ministry and has been in the Archdiocese of Chicago for three years or more, three options are open following review:
 - 1) his tenure may be extended up to three years;
 - 2) he may be asked to return to his home diocese;
 - 3) he may ask to be considered as a candidate for incardination by the Incardination Committee.
- b) If the extern priest declines to apply for incardination or if he is not admitted to the incardination process, he will be given one year to arrange for return to his home diocese or community. His Ordinary will be informed of this.
- c) Similarly, if an extern priest applies for incardination but is not accepted, the same policy applies.
- d) Any exception to this policy will be decided on a case by case basis at the discretion of the Chancery.

1507.2. Policy Student priests who have been in the Archdiocese of Chicago longer than three years shall be requested to have their permission to study renewed by their proper Ordinary and to also give some indication of when they expect to complete their study program. If the Ordinary does not renew his permission, the student priest shall be required to return home at the earliest opportunity.

§1508 DISCLAIMER AND SANCTIONS

1508.1. Policy Any priest who exercises ministry contrary to these policies and procedures for extern priests, or any pastor, administrator or rector of a church who so permits a priest to function does so illicitly and without the permission of the Archdiocese of Chicago. After a warning and admonishment or rebuke, culpable violation may be punished with a just penalty (cf. cc. 1315, 1319, 1339, 1347, 1384 and 1389).

§1509 BENEFITS FOR EXTERN PRIESTS SERVING AS FULL-TIME ASSOCIATE PASTORS¹

- (1) Base pay of associate pastor (no seniority increment).
- (2) Free room and board in rectory.
- (3) Mass stipends according to Archdiocesan schedule.
- (4) Accountable ministerial expense reimbursement plan according to Archdiocesan guidelines.
- (5) Health insurance:
 - a) Archdiocesan coverage provided through one of the plans available to lay employees (cost of premium is paid by parish or agency);
 - b) If priest is covered by his own diocese or religious order, and it is willing to continue coverage, the parish shall reimburse the Diocese or Order (proof required).
- (6) Auto insurance:
 - a) Archdiocesan coverage provided through an insurance carrier designated by the Archdiocese (cost of premium is paid by parish or agency). Copies of the certificate of title and vehicle registration (in the priest's name) must be provided.
 - b) If priest is covered by his own diocese or religious order, and it is willing to continue coverage, the parish shall reimburse the Diocese or Order (proof required) for the cost of the premium.
- (7) Eligible to elect or be elected to the Presbyteral Council (c. 498, §1, 2^o)
- (8) No life insurance.
- (9) No pension benefits
- (10) No term of office or right to reassignment.
- (11) One week of religious retreat per year.

¹The determination of whether an extern priest may serve as a full-time associate pastor depends on the permission and recommendation of the priest's bishop or religious superior, the opinion and consent of the pastor of the parish, and official assignment from the Chancery.

(12) Up to one month of vacation per year (cf. cc. 283, §2; 550, §3).

§1510 BENEFITS FOR RESIDENT EXTERN PRIESTS (E.G. STUDENTS)

- (1) Spending allowance according to Archdiocesan schedule.²
- (2) Free room and board in rectory
- (3) Mass stipends (individual offering for each Mass; no flat rate).
- (4) No transportation allowance.
- (5) Health insurance not provided.³
- (6) Auto insurance not provided.⁴
- (7) Not eligible to elect or be elected to the Presbyteral council.
- (8) No life insurance.
- (9) No pension benefits.
- (10) No term of residence or right to reassignment.
- (11) One week of religious retreat per year.
- (12) Up to one month of vacation per year (cf. cc. 283, §2; 550, §3).
- (13) No professional growth allowance.

²Resident extern priest is expected to be available for sacramental assistance during the week and on weekends. If further ministerial assistance is to be provided, compensation is to be negotiated by the pastor and the extern priest. If an extern priest only resides in the rectory but does not assist with some parish ministry, he parish may charge room and board from him.

³All extern priests are required to have health insurance. Student priests are expected to take out a health insurance policy at the special university rate. Resident extern priests working part-time in a parish may purchase health insurance through the Archdiocese with the approval of the chancery.

⁴Resident extern priests may purchase automobile insurance through the Archdiocese with the permission of the Chancery. Copies of the certificate of title and vehicle registration (in the priest's name) must be provided.

§1600 INCARDINATION OF PRIESTS

§1601 APPLICATION

1601.1. Policy A priest seeking to incardinate in the Archdiocese of Chicago shall send a written request to the Archbishop.

Procedures

- a) The written request for incardination should include:
 - 1) Brief biographical information;
 - 2) Factors leading to his decision to leave his diocese or religious institute
 - 3) Reasons why he is asking to join the Archdiocese of Chicago
- b) The candidate must demonstrate proficiency in English to the Incardination Committee.
- c) The Archbishop will acknowledge receipt of the candidate's letter and will write to the priest's proper Ordinary inquiring whether the application has his consent and asking for any remarks which would assist in determining his suitability as a candidate for incardination in the Archdiocese of Chicago.
- d) The Archbishop's letter will ask the candidate's Ordinary to:
 - 1) indicate the priest's current status,
 - 2) give the priest's ministerial background and experience, and
 - 3) describe any other special considerations pertaining to the priest's application for incardination.
- e) In responding, the letter of the priest's proper Ordinary must contain a statement about the priest's character and reputation. Any confirmed record or history of an untreated problem with substance abuse, violations of celibacy, sexual impropriety, physical abuse, or financial impropriety must be reported. In particular, the priest's proper Ordinary must certify that he is unaware of anything in the priest's background which would render him unsuitable to work with minors. In the case of any incident of sexual misconduct with a minor, the candidate's Ordinary must submit to the Archbishop's Office a comprehensive report of the allegation and its disposition. Information provided in connection with these procedures will be made available to the Offices of the Archbishop, the Chancellor, the Incardination Committee, and, as appropriate, to the members of the Professional Conduct Administrative Committee and/or the Professional Fitness Review Board, and will be maintained in a confidential manner.
- f) When the petition has the necessary information, the Archbishop will refer it to the Incardination Committee.

§1602 INCARDINATION COMMITTEE

1602.1. Policy The Incardination Committee shall consist of a Chairman, Executive Secretary and other members appointed by and serving at the discretion of the Archbishop.

1602.2. Policy The Incardination Committee shall interview the candidate for incardination and make a recommendation to the Archbishop.

Procedures

- a) The Chairperson of the Incardination Committee will contact the candidate to set up an initial interview. At this interview, the Chairman will explain the necessary steps and documentation which the candidate must provide to the Incardination Committee. If the Chairman believes it would be helpful, this initial interview may take place with the entire committee.
- b) Upon receipt of the required documentation, the candidate will meet with the entire Incardination Committee. The purpose of the interview is to:
 - 1) get to know the man personally;
 - 2) review the rationale for the petition;
 - 3) clarify/expand on issues raised in the documentation;
 - 4) determine preferred areas of ministry;
 - 5) answer petitioner's questions.
- c) After the interview, the Committee will vote and send its recommendation(s) to the Archbishop.

§1603 EXPECTATION OF SERVICE

1603.1. Policy Ordinarily, a priest to be incardinated shall be expected to render twenty years of service (or its equivalent) to the Archdiocese. In calculating a priest's years of service, consideration may be given for service in the Archdiocese as an extern priest prior to incardination.

§1604 APPROVAL BY THE ARCHBISHOP

1604.1. Policy The Archbishop shall either accept the candidate into the probationary period or deny the candidate's petition for incardination after receiving the recommendation from the Incardination Committee. If the Archbishop accepts the candidate into the probationary period, the Archbishop shall assign the priest to a parish for a predetermined period, after consultation with the Priests' Placement board and upon recommendation of the Incardination Committee. If the petition for incardination is denied, the Archbishop shall send his denial in writing to the candidate within four months of the priest's petition (cc. 268 and 474). In either event, the Archbishop shall also inform the priest's proper ordinary.

§1605 PROBATIONARY PERIOD

1605.1. Policy Candidates for incardination into the Presbyterate of the Archdiocese of Chicago shall successfully complete a three-year probationary period, normally consisting of two different parish assignments as an associate pastor, each lasting one and a half years.

1605.2. Policy The Chairman of the Incardination Committee shall conduct a written evaluation of the candidate together with the candidate and the pastor or administrator of the parish or agency where he is serving at the conclusion of each assignment.

Procedures

The results of the evaluations will be reviewed by the Incardination Committee in determining the second assignment and whether to recommend the candidate for incardination at the conclusion of the probationary period.

§1606 INCARDINATION

1606.1. Policy The Archbishop shall make the final decision to incardinate a priest into the Archdiocese of Chicago.

Procedures

- a) Before making a final recommendation to the Archbishop, the Incardination Committee will meet again with the candidate.
- b) If the decision is to not incardinate the priest, the Archbishop will send his denial in writing to the candidate.

- c) If the decision is positive, the Archbishop will inform the priest's ordinary. Upon receipt of a decree of excardination, and after the priest has declared in writing that he wishes to be dedicated to the service of the Archdiocese of Chicago (c. 269, 3°), that there is nothing in his background which would limit or disqualify him from exercising a ministerial assignment or holding a pastoral office, and that he has not engaged in any type of misconduct or other inappropriate activity which could justifiably give rise to public scandal, the Archbishop will issue a notarized decree of incardination (c. 267).
- d) The Office of the Chancellor will notify the Priests' Placement Board that the priest is available for a regular assignment and will inform the Department of Personnel Services, Office of Employee Services, P.R.M.A.A., any other Archdiocesan agencies as appropriate, official mailing lists, and the Archdiocesan Directory that the priest is to be added to their lists of incardinated priests.
- e) Newly incardinated priests will be introduced and welcomed into the Presbyterate by the Archbishop at a liturgical rite of incardination at the Presbyteral Day or Priests' Convocation normally scheduled in May or June. This liturgical rite of incardination is to be prepared by the Office of Divine Worship in consultation with the Incardination Committee.

§1607 REVOCATION OF INCARDINATION

1607.1. Policy Statements relating to suitable character and fitness are conditions *sine qua non* for incardination into the Archdiocese of Chicago. False statements, material misrepresentation of facts or fraudulent concealment of facts in this regard shall be grounds for revocation of incardination (cf. cc. 63; 125, §2; and 126).

§1608 BENEFITS FOR INCARDINATED PRIESTS

1608.1. Policy Priests incardinated into the Archdiocese of Chicago shall share in all benefits and responsibilities of the priests of the Archdiocese.

§1609 BENEFITS FOR EXTERN PRIESTS SERVING AS FULL-TIME ASSOCIATE PASTORS IN PROBATIONARY PERIOD OF INCARDINATION PROCESS**§1609.1. Base Salary**

Base pay of associate pastor (no seniority increment until incardinated; if he is incardinated, seniority increment should be figured from the date of ordination).(See *Annual Compensation Guidelines for Lay Employees, Men and Women Religious, and Diocesan Priests Working in Parishes*)

§1609.2. Residence

Room and board with reimbursement for parish meals as per Archdiocesan schedule, provided through the parish or agency of assignment.

§1609.3. Stipend

Mass stipends and stole fees(See *Compensation Guidelines for Lay Employees, Men and Women Religious, and Diocesan Priests Working in Parishes*).

§1609.4. Health Insurance

- a) The Pastor or Agency Director must make sure a priest in the incardination process has Health Insurance which is valid in the Archdiocese. If necessary, written authenticated proof of insurance must be provided by the priest himself to his Pastor or Agency Head;
- b) The priest may be certifiably enrolled in Health Insurance through his home diocese or religious community. If such is the case, the equivalent cost of the premium is paid to the home diocese or religious community by the priest's assigned Parish or Agency:
- c) If a priest does not have Health Insurance elsewhere, he will be enrolled in the Employees' Plan at the Archdiocese of Chicago. The Parish or Agency will cover the cost of the premium. Once incardinated, the priest will be enrolled in the Priests' Health Plan, which provides the same benefits as the Employees' Plan, but is paid for through the Parish assessment;

§1609.5. Automobile Insurance

- a) The Pastor or Department/Agency Director must make sure the priest has Automobile Insurance. Proof of insurance is required;
- b) If the priest's car is covered through his home diocese or religious community and that group is willing to continue coverage, the Parish or Agency will reimburse the home diocese or religious community for the cost of the premium;
- c) Otherwise, the Parish or Agency will enroll the priest in the Automobile Insurance Plan of the Archdiocese. The cost of the premium is paid by the Parish or Agency.

Copies of the Certificate of Title in the priest's name and vehicle registration must be provided to the Archdiocesan Plan.

§1609.6. Presbyteral Council

A candidate is eligible to elect or be elected to the Presbyteral Council (c. 498, §1, 2°).

§1609.7. Life Insurance

No life insurance for candidates;

§1609.8. Pension Plan

No pension plan for candidates;

§1609.9. Retreat

One week of religious retreat per year.

§1609.10. Vacation

Up to one month of vacation per year (cf. cc. 283, §2; and 550, §3).

§1609.11. Ministerial Expense Plan

The candidate is eligible for the accountable reimbursement plan according to Archdiocesan guidelines.

§1800 FUNERAL PROCEDURES

§1801 NOTIFICATION OF THE ARCHDIOCESE

1801 Policy In the event of the death of an Archdiocesan priest, the parent of an Archdiocesan priest, or a religious priest or permanent deacon, the Office of the Chancellor shall be notified.

Procedures

- a) If the deceased is an Archdiocesan priest: the Chancellor will contact the Executive Assistant to the Archbishop to schedule the Archbishop as celebrant of the funeral liturgy.

If the Archbishop is not available, the local Episcopal Vicar will be asked to represent the Archbishop at the funeral. (In the case of a retired priest, the Vicar for Senior Priests will also be contacted.) Arrangements for local Episcopal Vicars will be made by the Administrative Assistant to the Vicar General.

- b) If the deceased is a Religious priest: the appropriate Episcopal Vicar should celebrate the funeral liturgy according to the following guidelines:
- 1) if the deceased is a pastor/associate pastor, then the local Episcopal Vicar will be called
 - 2) if the deceased is a priest in non parochial ministry, then Episcopal Vicars will be contacted on a rotating basis.
- c) If the deceased is a parent of an Archdiocesan priest: the appropriate Episcopal Vicar of the priest involved should attend. The Chancellor will also notify the Executive Assistant to the Archbishop, who will request that the Archbishop send a sympathy letter.
- d) If the deceased is a Permanent Deacon: the appropriate local Episcopal Vicar and the Vicar for the Diaconate should be notified by the Administrative Assistant to the Vicar General.
- e) If an Episcopal Vicar has a special relationship to the priest, it is his responsibility to contact the designated representative to make arrangements for attending the funeral liturgy.

§1802 NOTIFICATION OF THE PRESBYTERATE

1802 Policy The parish or agency to which an Archdiocesan priest is assigned shall be responsible for sending out a notification card through the Mission Press. In the absence of such an assignment the Office of the Chancellor shall assume this responsibility.

§1803 FUNERAL INSTRUCTIONS AND PERSONAL INVENTORY

1803 Policy Archdiocesan priests shall maintain a personal inventory and funeral instructions on file with the Office of the Chancellor.

Procedures

Priests should contact the Office of the Chancellor for information and necessary forms.

§1804 ESTATE ADMINISTRATION

1804 Policy The estate of the priest shall be handled according to the wishes he has specified in his will.

§1805 PAYMENT OF FUNERAL EXPENSES

1805 Policy The priest's estate or the family of the priest shall pay for funeral expenses. However, in cases of financial need, requests for assistance may be made to the Priests' Retirement and Mutual Aid Association.

§1900 CONFLICT RESOLUTION

Introduction

In our long standing Christian tradition, reconciliation is a primary value. In all conflict situations reconciliation and just resolutions are to be sought.

Recognizing that in some instances reconciliation through dialogue will not be achieved by the persons in conflict, the following policies and procedures offer the means for achieving resolution with the assistance of a third party.

Some conflicts requiring reconciliation may be between priests or a grievance may be by or against a priest. Such instances would include:

- *Alleged failure to meet agreed upon conditions for employment or ministry;*
- *Alleged unjust treatment of other ministers or lay employees;*
- *Alleged denial to a person of the right to a good name;*
- *Conflict between a priest and his peers, his parishioners or his staff.*

§1901 PRINCIPLE OF SUBSIDIARITY

1901.1. Policy Conflicts and grievances involving a priest shall be resolved at the lowest appropriate level before an appeal to the Office of Conciliation.

Procedures

- a)** For conflicts at the parish or deanery level:
- 1)** All parties involved should attempt to resolve a conflict through dialogue.
 - 2)** If the need arises for the facilitation of dialogue through a third party, the Dean should be called upon to mediate.
 - 3)** If the Dean is unable to bring resolution to the matter, he refers it to the Episcopal Vicar, who makes a judgment whether efforts on his part to bring reconciliation are likely to be effective.
 - 4)** If attempts at reconciliation at the local level have been unsuccessful, a grievance may be submitted to the Office of Conciliation.
 - 5)** The record of previous attempts at reconciliation should be documented by the Dean and (if applicable) the Vicar.

- b) For conflicts involving departmental personnel or administrative agencies of the Archdiocese:
 - 1) All parties should attempt to resolve a conflict through dialogue
 - 2) If reasonable efforts to solve the problem directly are unsuccessful, the aggrieved party should have recourse through the normal administrative channels.
 - 3) If the normal procedures for administrative recourse have not resolved a problem, an aggrieved party may present the problem to the Office of Conciliation.

- c) The jurisdiction of the Office of Conciliation extends to:
 - 1) Disputes between individual members of the Archdiocese in which the controversy concerns an ecclesiastical matter;
 - 2) Disputes between a person and a diocesan administrator or administrative body when it is contended that an act or decision, including administrative sanctions and disciplinary actions, has violated Church law, formal policy or natural equity;
 - 3) Disputes between administrative bodies of the Archdiocese of Chicago.

§1902 PRINCIPLES OF FAIRNESS AND EQUITY

<p>1902.1. <i>Policy</i> At all stages of conflict resolution, principles of fairness and natural equity shall be observed.</p>
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Procedures

- a) Formal grievances should be expressed in writing and signed.

- b) The parties in conflict will have the opportunity to respond fully to each other's positions.

- c) To the extent appropriate under the circumstances of the dispute, proceedings will be confidential.

§1903 ALLEGATIONS OF SERIOUS MISCONDUCT

1903.1. Policy Allegations of serious personal or professional misconduct on the part of a priest shall be submitted directly to the Vicar for Priests. Exception: See Policy §1100 regarding Sexual Misconduct with Minors

Procedures

The Vicar for Priests will oversee appropriate pastoral, canonical and legal procedures in such instances.

§2000 RESIGNED PRIESTS

Although theologically one cannot “resign” from the priesthood, the terms “resignation” and “resigned priest” are commonly used in situations where a priest indicates, either formally or informally, that he no longer wishes to engage in priestly ministry. At the same time, a priest does not simply abandon the commitments made at the time of ordination as if resigning from a job. The decision to resign active priestly ministry usually follows only after a long period of reflection and discussion. While the gifts of resigned priests should be used for the good of the Church as much as possible, there are certain restrictions as to what responsibilities they might assume within the faith community. Per directives by the Holy See and provisions of canon law, the following policies and procedures have been developed regarding the employment or services of resigned priests in the Archdiocese of Chicago.

§2001 RESIGNED PRIESTS

2001.1. Policy A priest incardinated in the Archdiocese of Chicago who desires to resign from active ministry shall discuss the matter first with the Vicar for Priests and then with the Archbishop. Following these discussions and after the expiration of any authorized leave of absence for a specified period of time, if the priest still intends to resign, the priest shall submit a written letter of resignation to the Archbishop, stating his reasons for resigning. If the Archbishop accepts the resignation, such acceptance must be in writing. No resignation is complete until the Archbishop indicates his acceptance in writing. A priest whose resignation has been accepted can no longer function as a priest except in danger of death situations as permitted by canons 911, §2 and 976 and as obliged by canon 986, §2. Such a priest cannot act on behalf of the Archdiocese in any capacity, except as may be separately permitted in accord with policies 2001.2 and 2002.2 in this section. The Archbishop with the assistance of the Vicar for Priests will provide pastoral care appropriate to the individual situation.

Procedures

- a) The resignation from active ministry as a priest inherently and implicitly includes the resignation from any and all ecclesiastical offices held by the priest (cf. canons 189, §1 and 538, §1), a request to be excused from the obligation to undertake and faithfully fulfill a duty entrusted to him by his Ordinary (canon 274, §2), a petition for the withdrawal of his canonical faculties to minister as a priest, his agreement not to present himself as a priest or as a representative of the Archdiocese of Chicago, and renunciation of any right to remuneration and support (canons 281, §§1-2), except as provided for in canon 1350.
- b) The Archbishop’s acceptance of the resignation inherently and implicitly includes the acceptance of the priest’s resignation from any and all

ecclesiastical offices held by the priest (cf. canons 189, §§2-3 and 538, §1), excusing the priest from the obligation to undertake and faithfully fulfill a duty entrusted to him by his Ordinary (canon 274, §2), revocation of canonical faculties to minister as a priest, a prohibition on the resigned priest from presenting himself as a priest or as a representative of the Archdiocese of Chicago, and cessation of the obligation for remuneration and support (canons 281, §§1-2), except as provided for in 1350.

- c) A priest who leaves active ministry without resigning as described above can be removed from any and all ecclesiastical offices only in accord with the norm of law (cf. canons 192-193 and 1740-1747). The Archdiocese will consider a departure by the priest which continues for more than six months a tacit resignation from active ministry. Tacit resignation consequently means the revocation of the absent priest's canonical faculties to minister as a priest, a prohibition on the absent priest from presenting himself as a priest or as a representative of the Archdiocese of Chicago, and the cessation of the obligation to provide remuneration and support (canons 281, §§1-2), except as provided for in canon 1350.
- d) Any priest not incardinated in the Archdiocese of Chicago who desires to resign from active ministry is to discuss the matter with his own proper Ordinary.
- e) In order to change his canonical status from cleric to layperson with permission to marry, a resigned priest must petition the Holy Father for a dispensation (laicization) from the obligations of priesthood (canons 290-293). An ordained priest who attempts even a civil marriage without a dispensation from the obligation of celibacy from the Holy See incurs an automatic suspension (canon 1394, §1) and becomes irregular as regards the exercise of orders (canon 1044, §1, 3°).

2001.2. Policy A resigned priest may not be hired or appointed to serve in the Archdiocese of Chicago without approval from the Archbishop.

Procedures

- a) In determining whether the parish, school or agency may hire or appoint the resigned priest, the Archbishop will consider the actual situation of the man (including his canonical status), the nature of the job, and the possibility of scandal.
- b) Requests for approval from the Archbishop should be directed to the Office of the Chancellor.
- c) If approval is given, a written record of the Archbishop's approval shall be kept on file by the Office of the Chancellor.

§2002 DISPENSED (LAICIZED) RESIGNED PRIESTS

2002.1. Policy The Archdiocese of Chicago shall actively assist resigned priests to apply for a dispensation from the obligations of the clerical state (commonly referred to as “laicization”).

Procedures

- a) The application for a dispensation is initiated by contacting the Office for Canonical Services.
- b) The procedures to be followed are established by the Holy See (per canons 290-293).
- c) Since dispensation from the obligations of celibacy is inseparable from the dispensation from the other obligations of the clerical state, all aspects of the rescript of dispensation must be accepted. The acceptance of any portion of the dispensation constitutes an acceptance of the entire dispensation.

2002.2. Policy A resigned priest who has been dispensed from the obligations of the clerical state (laicized) shall abide by the restrictions on public ministry contained in his rescript of dispensation (laicization) issued by the Holy See. In accord with this rescript, he may be hired or appointed for a position of service in the Archdiocese of Chicago if the parish, school or agency receives approval from the Archbishop.

Procedures

- a) In determining whether the parish, school or agency may hire or appoint the person, the Archbishop will consider the actual situation of the man, the terms of the dispensation, the nature of the position, the needs of the Archdiocese, the needs of the parish, school or agency, and the possibility of scandal.
- b) Requests for approval from the Archbishop should be directed to the Office of the Chancellor.
- c) If approval is given, a written record of the Archbishop’s approval shall be kept on file by the Office of the Chancellor.

BOOK II THE PEOPLE OF GOD

PART I CHURCH PERSONNEL

TITLE III SACRED MINISTERS OR CLERICS

CHAPTER II DEACONS

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§100 ASSIGNMENTS

§101 ASSIGNMENT PROCESS

§101.1. Assignment

101.1. Policy Upon ordination Deacons shall be assigned to the parish or Archdiocesan agency that sponsored their candidacy.

§101.2. Request for Transfer

101.2. Policy Deacons may request transfer from their parish or agency if:

- (1) Deacon's residence changes from the boundaries of the parish or becomes too distant from the agency location.
- (2) Deacon and Pastor/Director are in agreement that a change in assignment is in the best interest of the deacon and of the parish/agency.

§101.3. Deacon Personnel Board

101.3. Policy Deacons may solicit the assistance of the Deacon Personnel Board in securing placement at another parish or agency.

Procedures

- a) Request for assignment must be in writing to the Deacon Personnel Board and must include:
 - 1) Written permission from the current Pastor/Director to terminate the Ministry Agreement in force.
 - 2) Any written ministry performance evaluation the Pastor/Director wishes to submit.
- b) Deacon Personnel Board will acknowledge, in writing, receipt of the Pastor/Director's permission to terminate the deacon's Ministry Agreement.
- c) Deacon Personnel Board will contact parishes/agencies that have requested diaconal assignment or that the Board believes will have an interest in having a deacon assigned to them.
- d) Interested Pastor/Director must advise Deacon Personnel Board what ministry activities the deacon will be required to perform.

- e) Deacon Personnel Board will provide a resume listing deacon's ministry skills, certifications, special training, etc., to every Pastor/Director interested in the deacon's assignment.
- f) Deacon Personnel Board may request an interview between interested Pastor/Director and the deacon.
- g) If Pastor/Director and deacon agree on ministry standards, the Deacon Personnel Board will inform Pastor/Director that:
 - 1) A written request for the assignment of the deacon to the parish/agency is required.
 - 2) The Board will recommend to the Vicar that the deacon be assigned for a period of six months. At end of that term, the Board must receive an evaluation of the deacon's ministry performance, and be notified if a permanent assignment is requested. (It will be up to Board member to submit for file.)
 - 3) If a permanent assignment is requested, the Deacon Personnel Board will advise the Vicar so that a permanent assignment may be requested of the Chancery.
 - 4) The deacon will be assigned for a period not to exceed three years from date of probationary assignment.
 - 5) A Ministry Agreement must be filed with the Deacon Personnel Board before the notice of assignment is published.

§102 REQUESTING FACULTIES AND ASSIGNMENT

§102.1. Canonical Faculties

<p>102.1. Policy Deacons who move into the Archdiocese of Chicago and request to minister within it, shall obtain the required canonical faculties.</p>
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Procedures

- a) Until such time as the deacon completes the excardination or incardination process according to the norms of the Code of Canon Law and Archdiocesan policies and procedures, he shall remain attached to the diocese in which he is incardinated.(Can.271§2)
- b) The deacon should approach the local pastor to ascertain the possibility of ministering in that specific parish. If this is agreeable to both, the pastor should then write a letter to the Vicar requesting the services of the deacon and expressing his willingness to accept him.

- c) The deacon should then request a personal interview with the Vicar. In addition to the pastor's letter mentioned above, the deacon must present: a letter of recommendation from the director of the diaconate in the diocese from which he came; copies of all his official documents, faculties received, an overview of the training he received and evaluations while in training, as well as any other evaluations of his ministry after ordination; a letter of recommendation and evaluation of his ministry from his previous pastor; and a resume of his ministry and some reflection on it prepared by the deacon himself.
- d) If the deacon is married, his wife is also expected to be present for this dialogue with the Vicar. If she has been engaged in ministry, an overview of her involvement and possibly a similar letter from her previous pastor would be appreciated.
- e) If the deacon has been unable to elicit a letter of request from his local parish, the Deacon Personnel Board will endeavor to place him. All other steps in paragraph c) herein should be completed before this is attempted.
- f) Upon completion of these steps, the Vicar may request that the faculties of the Archdiocese be extended to the deacon. He will then be assigned for a temporary period of six months. After this probationary assignment, if the deacon, pastor and pastoral staff are favorable, a permanent assignment will be made.

§103 INCARDINATION

§103.1. Request for Interview

103.1. Policy After a period of no less than three years of ministering, should a deacon request incardination in the Archdiocese of Chicago, he shall request a personal interview with the Vicar.

Procedures

- a) The deacon should present to the Vicar: a statement in writing of his desire to be incardinated and his reasons for this request; a letter of recommendation and evaluation of his present ministry from the pastor of the parish in which he presently serves.
- b) The Vicar and the deacon (and his wife) will review his (their) years of ministry in this Archdiocese. Particular attention will be given to the fulfillment of all Archdiocesan expectations for diaconal ministry

delineated in our Deacon's Handbook (Policies and Procedures). A reasonable assurance of the deacon's continued presence in the Archdiocese is expected.

- c) The Vicar and the present pastor make their written recommendations to the Archbishop indicating their opinions regarding the petition for incardination. If the recommendations are positive and the Archbishop accepts them, then the Archbishop sends a letter to the Deacon's current bishop indicating that he is willing to incardinate the deacon and requesting a letter of excardination from the bishop of the diocese from which excardination is being sought. This letter, together with a personal petition by the deacon, will be forwarded to the bishop of the diocese from which excardination is being sought.
- d) Upon reception of the appropriate document of excardination, the office of the chancellor shall prepare a decree of incardination for the Archbishop's signature.

§104 REQUESTING FACULTIES IN ANOTHER DIOCESE

104.1. Policy With the permission of the Archbishop or the Vicar for Deacons, faculties may be requested for diaconal ministry in another diocese. The deacon shall remain incardinated in the Archdiocese of Chicago and a yearly evaluation of his ministry shall be required and sent to the Vicar for Deacons.

Procedures

- a) Before departing from the Archdiocese, the deacon must notify the Diaconate Office of his future address.
- b) If he plans to be involved in diaconal ministry, he must obtain verification of his ministerial status and a letter of introduction before departure. Further information to assist him will also be given at that time.
- c) Upon establishing his residence, contact the diocesan director of the diaconate to ascertain the possibility for diaconal ministry. The local pastor may assist him in this process.
- d) Should the diaconate director support his involvement in Diaconal ministry, a request for the extension of faculties may be forwarded to the local bishop.

§105 EXCARDINATION

105.1. Policy Should residence in another diocese be permanent, the deacon, after fulfilling the requirements established by the local diocese, shall begin the excardination and incardination process.

Procedures

- a) A request accompanied by a letter of support from the diocese's diaconate director and the local pastor should be sent to the bishop of the diocese in which he seeks incardination.
- b) Should the bishop be willing to incardinate the deacon, he will then forward the necessary document requesting excardination to the Archbishop of Chicago. The deacon himself should put this request in writing and forward it to our Vicar for the Diaconate Community.
- c) Upon the recommendation of our Vicar, with the Archbishop's approval, an instruction of excardination from Chicago may be granted.

§106 DEACON'S DEATH

§106.1. Notification of the Archdiocese

106.1. Policy The appropriate Archdiocesan agencies shall be informed of the death of a deacon.

Special Note:

In the event of a Deacon's death, consult with the policies and procedures regarding Funeral Procedures of Diocesan Priests.

Procedures

- a) The pastor or family should notify the Diaconate Office (708) 383-9200.
- b) The Diaconate Office notifies the Chancery Office (312) 751-8220 - and other deacons in the deceased deacon's class.
- c) The Associate Director and Deacon Coordinator responsible for the area in which the deacon ministered are notified by the Diaconate Office.

- d)** A wake service should be celebrated. It is recommended that this be conducted by other deacons from the parish or the Deacon Coordinator or Associate Director.
- e)** The traditional attire for a deceased deacon within the Archdiocese is a suit or an alb with stole.
- f)** The Chancery Office notifies the Dean of the area who will try to be present at the funeral service. The Vicar, if it is possible, will be present for the funeral mass.

§200 MINISTRY

§201 THE MINISTRY OF LITURGY

"The Second Vatican Council asserted that the liturgy is the summit toward which the activity of the Church is directed and the source from which all its power flows. This is as true of the deacon as it is of the Church in general. To the Church gathered in worship, the deacon brings both the gifts of the people and articulates their needs. At the eucharistic assembly, the deacon assists the community in its worship and helps to minister the great mystery of Jesus Christ's redemptive gift of himself in word and sacrament. And, in such liturgical celebrations, in which all three of the deacon's ministries are uniquely concentrated and integrated, the deacon finds the source from which he draws his own Christian life and the grace to carry out his ministry." (U.S. Guidelines)

"At the Eucharist, the deacon may proclaim the Gospel, preach, voice the needs of the people in the general intercessions, assist in the presentation of the gifts, and distribute communion. The deacon can also perform other liturgical roles, such as solemnly baptizing, witnessing marriages, bringing Viaticum to the dying, and presiding over funerals and burials. In addition to these roles, he can also preside over liturgies of the Word, the Liturgy of the Hours, exposition and benediction of the Blessed Sacrament, lead non sacramental reconciliation services, conduct prayer services for the sick and dying, and administer certain of the Church's sacraments. The norm contained in the document THE DEACON, MINISTER OF WORD AND SACRAMENT serves as a useful reminder: In those instances where a deacon may wish to be a minister at a liturgical celebration in a parish or institution other than his own (e.g. marriage, baptism, funeral), he should first obtain the proper delegation." (U.S. Guidelines)

§201.1. Before Mass Begins

201.1.1. Policy Among liturgical ministers assisting the presider, the deacon, whose order has been held in high honor since the early Church, shall have first place. When present to exercise his ministry, the deacon enters and recesses at the priest's side by custom at the right side. (*General Instruction on the Roman Missal*, #61)

201.1.2. Policy Vestments for the deacon shall be the alb and stole, which is worn over the left shoulder, drawn across the chest, and fastened at the right side; Dalmatic, worn over the stole, but which may be omitted for pastoral reasons.

201.1.3. Policy It is desirable that the color and design of the deacon's vestments match the vestments of the presider. The traditional liturgical colors shall be retained.

201.1.4. Policy Functions may be distributed among several deacons who are present and vested. The Deacon of the Word shall carry the Book of the Gospels, if used, and proclaim the gospel; the Deacon of the Eucharist shall make all the appropriate invitations and directions. Other deacons in attendance should remain in places provided and do not gather at the altar until the reception of the Eucharist. They may assist in the distribution of communion.

§201.2. Introductory Rites

201.2.1. Policy In the procession, if the deacon carries the Book of the Gospels, he precedes the presider; otherwise he walks at the presider's side.

201.2.2. Policy The deacon and the presider make the proper reverence before the altar and go up to the altar. After placing the Gospel book on it, the deacon and the presider kiss the altar together. If incense is used, he assists the presider.

201.2.3. Policy In Penitential Rite, Form C, there is a preference for the deacon to announce the invocations. However, the presider or other suitable minister may do so.

201.2.4. Policy If the Rite of Blessing and Sprinkling Holy Water is used, the deacon may assist the presider. Or the deacon may sprinkle the people.

§201.3. Liturgy of the Word

201.3.1. Policy The Proclamation of the Gospel is not a presidential function, but a ministerial one which belongs to the deacon. However, in instances where the deacon does not read or proclaim well, the community would be better served by the presider proclaiming the Gospel.

Procedures

If incense is used, the deacon assists the presider. He puts incense in the censer during the singing of the alleluia or other chant. Then he bows before the priest and asks for the blessing, saying in a low voice: "Father, give me your blessing." The priest blesses him: "The Lord be in your

heart." The deacon answers: "Amen." If the gospel book is on the altar, he takes it and goes to the ambo, preceded by the ministers, if present, who may carry the candles and censer. There he greets the people, incenses the book, and proclaims the gospel. After the reading he kisses the book saying quietly, "May the words of the gospel wipe away our sins." and returns to the celebrant. If there is no homily or profession of faith, he may remain at the ambo for the general intercessions, but the other ministers return to their places. (*General Instruction on the Roman Missal*, #131)

201.3.3. Policy The Homily shall ordinarily be given by the presider, although the presider may invite the deacon to preach if he has received the proper faculties.

201.3.4. Policy The Deacon may announce the General Intercessions. (*General Instruction on the Roman Missal*, #132)

Procedures

- a) The introductory invitation to the General Intercessions is made by the presider.
- b) The deacon announces the intercessions at the ambo, chair, or other suitable place. The cantor or another suitable person may also announce them.
- c) The presider offers the concluding prayer to the General Intercession.

§201.4. Liturgy of the Eucharist

201.4.1. Policy At the Presentation of the Gifts, while the presider remains at the chair, the deacon, assisted by other ministers, prepares the altar with book, corporal, purificator, and chalice.

201.4.2. Policy The presider may invite the deacon to assist the presider in receiving the gifts. (*General Instruction on the Roman Missal*, #101 and 133)

201.4.3. Policy The deacon assists the presider the presider at the altar during the Liturgy of the Eucharist. (*General Instruction on the Roman Missal*, #134)

Procedures

- a) At the altar, the deacon hands the paten to the presiding priest. The deacon at the side of the altar prepares the chalice, saying inaudibly: "Through the mystery of this water and wine ..." The deacon then hands the vessel to the presiding priest. If more than one vessel is used, for example a chalice and a flagon, or two chalices, the deacon pours a little water into the principal vessel only.
- b) If incense is used, the deacon assists the priest as he incenses the offerings and the altar. Afterwards, he or another minister incenses the priest and people.
- c) During the Eucharistic Prayer, the deacon stands near but slightly behind the presider, even when there are concelebrants. When the presider genuflects following the words of institution, the deacon bows. (*General Instruction on the Roman Missal*, #134)
- d) The invitation to the Memorial Acclamation is made by the presider. As an integral part of the eucharistic prayer the invitation to the Memorial Acclamation belongs to the presider.
- e) At the Final Doxology, said or sung only by priests, the deacon holds up the chalice or flagon as the celebrant raises the paten until the people have responded "Amen." (*General Instruction on the Roman Missal*, #135)
- f) At the Sign of Peace, the presider says the prayer for peace and greets the assembly. The deacon then invites all to exchange the sign of peace. The deacon receives the sign of peace from the presider and may extend it to the other ministers near him. (*General Instruction on the Roman Missal*, #136)
- g) The deacon assists in the fraction rite by breaking and dividing the consecrated bread, and pouring the precious blood. At masses when more than one deacon ministers, and at concelebrated masses, deacons assist in the fraction rite as needed.
- h) After the presider's communion, the deacon receives under both species and then assists the priest in giving communion to the people. (*General Instruction on the Roman Missal*, #137)
- i) If communion is given under both species to all, the deacon ministers the chalice and is the last to drink from it. At concelebrated masses, it is preferred that the deacon minister the cup. Deacons may distribute the host as well. (*General Instruction on the Roman Missal*, #137)

- j) After Communion, the presiding priest returns to the chair. The deacon takes care of the proper disposition of the remaining hosts and Precious Blood, and the vessels used. (General Instruction on the Roman Missal, #138)

§201.5. Concluding Rite

201.5. Policy The Deacon participates in the concluding rites.

Procedures

- a) Announcements, following the prayer after communion, may be made by the presider, the deacon, or other suitable person.
- b) If the Solemn Blessing is given, or the Prayer over the People said, the deacon says in these or similar words: "Bow your heads and pray for God's blessing."
- c) Immediately after the blessing, the Dismissal is given. The deacon with hands joined, dismisses the people with appropriate words.

§202 MINISTRY OF THE WORD

The deacon's most solemn ministry of the word is that of reading the gospel and preaching at the liturgy. But as one deputed to bring the good news, he can extend this ministry in almost unlimited ways. At many gatherings and at formal and informal meetings ... he can communicate a word of joy and hope. Adult education and education of young people can become a part of his concern. What is appropriate to the office of deacon is simply that he proclaim and witness God's word in all his service, ministries and actions. U.S. Guidelines #21

§202.1. Proclamation of the Word

202.1.1. Policy The proclamation of the Gospel is not a presidential function, but a ministerial one belonging to the deacon. Even when the deacon does not preach, his proper ministerial and liturgical role is to proclaim the Gospel. (*Lectionary for the Mass*, #50)

202.1.2. Policy In those instances where a deacon's ability to read or truly proclaim are limited, departure from the normal procedure is acceptable for the good of the community and reverence to the Word. This decision may be made by the individual deacon or as a result of dialogue with the parish staff.

§202.2. Preaching the Word

202.2.1. Policy The ministry of a deacon to preach depends on the faculties given by the Archbishop and Archdiocesan policies and procedures governing the ministry of preaching. (See §01 Basic Faculties, herein)

202.2.2. Policy The deacon may preach when he is the presiding minister of a sacrament or other liturgical rite:

- (1) baptism of infants
- (2) some of the rites in the Christian initiation of adults
- (3) sacrament of matrimony
- (4) benediction of the Blessed Sacrament
- (5) at a wake service, or service of Christian burial (outside of Mass), and at a cemetery service
- (6) the celebration of morning or evening prayer or other rites of the liturgy of the hours
- (7) visitation of the sick and elderly and the sacrament of viaticum

202.2.3. Policy The deacon may preach at the following liturgies and occasions when he has received faculties from the Archbishop and has been properly certified after ordination according to Archdiocesan policies and procedures:

- (1) any celebration of the Eucharist when the presider extends the invitation to preach
- (2) any celebration of a sacrament in which he is not the presiding minister of that sacrament when the presider extends the invitation to preach
- (3) retreats, days of recollection, missions, novenas, etc.
- (4) sermons, talks, homilies to be given at ecumenical gatherings or services

Procedure

In those instances where a deacon wishes to extend his liturgical ministry in a parish or institution other than his own (e.g. marriage, baptism, funeral), he should first obtain the proper delegation from the appropriate pastor or chaplain, or their delegate.

Special Note:

The New Code of Canon Law distinguishes between "faculty" - the right to preach; "permission" - the use of the faculty; and "consent" - the approval of the one who has local responsibility for pastoral care.

The Archbishop may restrict the faculty to preach; national or archdiocesan legislation may establish norms for the use of the faculty; and the pastor might withhold his consent to preach after exercising his responsibility to keep careful vigilance over the "integrity" of the presentation. While care must be taken to respect the free exercise of the minister's right (Can. 18), these precautions indicate the Church's responsibility and concern for the Word of God.

Those charged with pastoral care - a pastor, administrator, etc. have the responsibility to see that the word of God is preached with integrity (Can. 528.1), and have a right of vigilance over the preaching that takes place in their churches. They may refuse their consent for a deacon to preach therein.(Can. 764) However, this must be done only for a serious reason, based on a sure knowledge, and after careful deliberation with the pastoral staff and dialogue with the individual deacon. This is a grave decision and must be done with prudence and clarity.

A deacon himself may discern that his ministerial gifts lie elsewhere and that preaching is not within his ability. Some deacons should forgo preaching, even though they may have faculties to do so, if experience has indicated that they lack this particular gift.

§203 DEACONS OFFICIATING AT WEDDINGS

The decision of a couple to marry is a joyful and significant moment. Their engagement begins a time of great anticipation and preparation. Assisted by the Holy Spirit, the Archdiocese and the local parish community, the deacon is asked to serve engaged couples as they prepare themselves for the Sacrament of Matrimony. It is no easy task, but the rewards for both the minister and the recipients can be countless. The relationships that are built at these times usually form the foundations for continued involvement within the Church for all the engaged. Indeed, marriage is the womb and the cradle for the Church of tomorrow.

The following policy statement for deacons officiating at marriages within the Archdiocese are normative. They, therefore, should be observed unless permission for exception is obtained from the Archbishop.

Core to any ministry, and especially to the engaged, is the relationship that exists between believers. Marriage preparation demands that the parish minister build a relationship of trust, care and honesty with each engaged couple entrusted to him. He should be responsive to their fears and needs as they enter the vocation of Christian marriage; and should be adaptable to the variety of circumstances and situations that surround any and every engaged couple prior to marriage. It was with this relational awareness that these policies and procedures were first composed and it is again stated that the guidelines should be observed in all cases of marriage preparation in order that the engaged be properly served by the Church. (See §400, Book IV, The Sanctifying Office of the Church)

§203.1. Training

203.1. Policy All deacons officiating at marriages shall receive training for premarital ministry and be certified by the Archdiocese of Chicago. This training will be effected through the Cana Conference, the Office for Divine Worship, and the Archdiocesan Chancery Office.

If the wife of a deacon intends to participate in this premarital ministry, she must also receive training and be certified by the Archdiocese.

Procedure

Great care and sensitivity must be exercised by the parish in the assigning of the premarriage ministry by the priests and deacons, conscious of the variety of needs in Catholic and interfaith marriages.

§203.2. Permission

203.2. Policy A deacon officiating at marriages within the Archdiocese must be currently assigned to a parish or agency of the Archdiocese (or home diocese) and have the permission and delegation of the pastor of the parish within which the wedding will take place.

Procedures

- a) The ministry to the engaged is a ministry of response and caring. It can often be confused with administering policies, guidelines and programs. The deacon is encouraged to develop a healthy pastoral relationship with the engaged couple, recognizing their individual needs prior to marriage.
- b) In the demanding situation of ministering to family and friends entering marriage, the deacon should be sensitive to his effectiveness and objectivity in these circumstances and not hesitate to recognize his limitations and to request assistance. In these instances, the good of the couple may be better served by eliciting the help of a fellow deacon or priest who could minister to the couple more effectively.
- c) It is essential that the cohesiveness of the preparatory process and the liturgical celebration be maintained.
- d) In initiating marriage preparation ministry the deacon may want to avail himself of the experience of the parish priest(s). The parish priest would be a valuable resource in familiarizing the deacon with the resources and programs of the Archdiocese, the parish and the surrounding community.
- e) The Archdiocesan Office of Family Ministries is a particularly valuable resource to parish ministers preparing couples for Christian marriage.

§203.3. Liturgical Norms

203.3.1. Policy As the Church's witness of the sacrament, the deacon shall follow the norms and liturgical requirements prescribed in the Roman Ritual: Rite of Marriage.

Procedure

The deacon may impart any blessings which are part of a Rite which he has faculties to celebrate. When celebrating marriage during Mass, it is the role of the presider to impart the nuptial blessing. For serious pastoral reasons the priest celebrant may permit the deacon to extend the Church's blessing upon the newly married couple.

203.3.2. *Policy* A deacon who serves as the celebrant of the Sacrament of Marriage will receive a stipend in accord with the norms established by the Archdiocese (currently \$50.00).

§204 MINISTERIAL DEVELOPMENT OF DEACONS

Deacons, as professionals in ministry, need to constantly update themselves with practical education and spiritual development to insure a feeling of self-confidence and adequacy in their ministry, and to demonstrate to the church they serve that they are professionally accountable.

The Ministerial Development Program relies upon the deacons' willingness to not only continue their growth but to document it for all to see. It is a program based upon self-motivation and self-direction, which will enhance each deacon's ability to serve the church of Chicago in the future.

These policies provide deacons of the Archdiocese a standardized method of evaluating their ministerial development efforts. They describe the basic requirements, how to record credit hours, and when to submit reports for inclusion in personnel files.

§204.1. General Criteria for Ministerial Development Requirements

204.1.1. Policy Deacons given faculties to function within the Archdiocese of Chicago shall successfully complete a minimum number of hours of ministerial development every three years. This expectation begins at 60 hours every three years and changes as the deacon's age and years of service increase.

204.1.2. Policy To insure that the ministerial development requirements are achieved, certain criteria shall be established to assist each deacon in determining the number of credit hours achieved through various kinds of ministerial development.

Criteria

- a) The scope and nature of instruction should pertain to preparation for the deacons' ministry to the church in the areas of liturgy, word, and charity. This would include background for or updating of his current ministry, or preparation for a future ministry. Also, other courses which help him in ministry or prepare him to better serve the people of God should be included.
- b) The minimum number of hours of ministerial development are recorded by "credit hours." "Credit hours" should be recorded in whole or in part using the following criteria based on actual clock hours of input:
 - 1) Certificate courses: many national, regional, and local courses issue a certificate at the end of an instructional seminar or

- conference. The number of clock hours required to obtain the certificate should be counted as “credit hours.”
- 2) Announced credit courses: the ministerial development committee, through its publications, announces a variety of course opportunities and conferences and establishes the number of “credit hours” to be recorded. All “credit hours” shown in these publications may be counted.
 - 3) College courses: because of the wide variety of methods used in college credit systems, it is not possible to convert college credits to credit hours. Instead, count one “credit hour” for each classroom clock hour attended. Add up to 10 “credit hours” for outside study of textbooks, if required. Add an additional 5 “credit hours” for preparation of course exam.
 - 4) Adult enrichment courses at parishes or local school programs: count one “credit hour” for each classroom or lecture clock hour attended.
 - 5) Other courses, conferences, seminars, workshops, intensive weekends (this includes any courses offered within the guidelines stated in paragraph a above): eliminate all non-academic activities, such as social periods, lunch, coffee breaks, etc. before recording the academic clock hours as “credit hours.”
 - 6) Correspondence courses will receive “credit hours” for their equivalent class clock hour equivalents.
 - 7) Participation in an annual retreat will be given 6 “credit hours.” This applies for one retreat per year. A weekend retreat is envisioned. Additional credit is not given for a longer period of time.
 - 8) Participation in the designated annual Vicariate or Deanery assembly will be given two “credit hours.”
- c) Consideration will be given for a deacon’s age and years of ministry when determining the yearly average of hours of ministerial development each deacon is expected to complete.
- 1) By considering the year of ordination and the age a deacon reaches in a particular year (regardless of the actual birth date), the graph below will indicate the yearly average of hours a deacon is expected to complete. The average number per year should be multiplied by three for the total number of hours for the entire cycle. The total is based on three year cycle, and there is no annual expectation.
Example: Deacon will be 55 on October 4. He has been ordained 18 years. Using the chart, he needs an average of 16 hours per year, or 48 hours over the three year cycle.

- 2) A Deacon should calculate his yearly average on the basis of his ordination year and when he moves into another age bracket. As he moves into a new five year bracket, the expectation for his second or third year in the cycle may be different from the first year.

Example: Deacon ordained in 1982 turns 60 in the third year of this cycle. The expectation for each of the first two years is 20 hours, but the final year is only 14 hours. The three year expectation is 54 hours.

MINISTERIAL DEVELOPMENT HOURS PER YEAR

**YEARS
OF
ORDINATION**

DEACON'S AGE

	<u>40</u>	<u>45</u>	<u>50</u>	<u>55</u>	<u>60</u>	<u>65</u>	<u>70</u>	<u>75</u>
1	20	20	20	20	20	16	10	6
2	20	20	20	20	20	16	10	6
3	20	20	20	20	20	16	10	6
4	20	20	20	20	16	16	8	6
5	20	20	20	20	16	16	8	6
6		20	20	20	16	13	8	6
7		20	20	20	16	13	8	6
8		20	20	20	16	13	8	6
9		20	20	20	16	13	8	6
10		20	20	20	16	13	8	6
11			20	20	14	10	8	6
12			20	20	14	10	8	6
13			20	20	14	10	8	6
14			20	20	14	10	8	6
15			20	20	14	10	8	6
16				16	14	10	6	6
17				16	14	10	6	6
18				16	14	10	6	6
19				16	14	10	6	6
20				16	14	10	6	6
21					12	9	6	6
22					12	9	6	6
23					12	9	6	6
24					12	9	6	6
25					12	9	6	6
26						8	6	6
27						8	6	6
28						8	6	6
29						8	6	6
30						8	6	6
31							6	6
32							6	6
33							6	6
34							6	6
35							6	6

- d) “Credit hours” are to be distinguished from total clock hours. The following activities are not normally considered “credit hours”:
- 1) Travel to and from the place where instruction is given.
 - 2) Informal meetings and conferences.
 - 3) Prayer services and liturgies.
 - 4) Spiritual direction sessions.
 - 5) Parish council or committee meetings.
 - 6) Social gatherings.
 - 7) Archdiocesan, parish, diaconate board, council, and committee meetings.
 - 8) Support group functions.
 - 9) Courses not related to ministerial service.
 - 10) Service on retreat or spiritual formation teams.
 - 11) Tapes and books for individual study and reflection.
- e) While it is not necessary to submit more than 60 credit hours, deacons are encouraged to submit all their ministerial development activities so that their personnel files are complete and up-to-date.

§204.2. Notification and Reporting Procedures

204.2.1. Policy Prior to ordination, each candidate in his final year shall receive this policy statement and a ministerial development record.

204.2.2. Policy During July and August of each year, deacons shall be requested by letter to submit their ministerial development record for the previous year.

204.2.3. Policy Each deacon shall make a copy of his record before submission to the committee. Information submitted shall be recorded as part of the deacon’s personnel file.

204.2.4. Policy A deacon shall have access to his ministerial development file upon verbal request. Only the Chairperson of the Ministerial Development Committee, the Vicar for the Diaconate, the Personnel Board, and secretarial employees shall have access to the file in the performance of their official duties. The file shall be duplicated and released to the deacon, or his designees, only upon written request.

§204.3. Waivers and Extensions

204.3. Policy Waiver of minimum credit or extension of time to complete the education requirement may be granted by Diaconate administrations in exceptional cases. Such waiver may be considered upon receipt of a written request from the deacon. Waiver may be considered, but is not limited, for age, health, employment, family, or ministry demands. Waivers or granting of extensions of time shall be announced in writing. A failure to submit the ministerial development form shall be referred to the Personnel Board for their action.

§204.4. Non-compliance

204.4.1. Policy Ordinarily, deacons who have completed a significant number of the required hours but not the total amount, will be granted a six month extension in order to fulfill the required hours.

204.4.2. Policy Deacons who have not met the required number of hours of ministerial development during their three year cycle, and who do not have reason for an extension or a waiver, shall be placed on administrative leave until such time as the necessary hours are completed. Upon completion they shall be returned to active status.

Procedures

In Policies 204.4.1. and 204.4.2., the next three year cycle will have begun on July 1.

§205 RETREATS

§205.1. Annual Retreat

205.1. Policy The deacon shall make an annual retreat to enhance his spiritual growth and development.

Procedures

- a) The Retreat Committee of the Diaconate Council is charged with the task to organize a retreat program for the diaconate community.
- b) The deacon may fulfill this obligation by attending one of the retreats organized by the Retreat Committee or may attend a retreat of his choice.
- c) While allowing for flexibility in fulfilling the expectations for an annual retreat, the deacon is expected to participate in a retreat sponsored by the Diaconate Community at least once in every three year period.
- d) The deacon is obliged to submit to the Office of the Diaconate verification of attendance of an annual retreat.

Documentation

The Code of Canon Law, Chapter III, The Obligations and Rights of Clerics, Canon 276, 2-4, states "they are also bound to make a retreat according to the prescriptions of particular law."

§206 PERFORMANCE APPRAISAL**§206.1. Performance Appraisals**

206.1.1. *Policy* Performance appraisals shall be conducted in accord with the Principles Guidelines Personnel Policies for Ministry Personnel of the Archdiocese of Chicago, cf. pg. 17: concerning Performance Appraisal

Procedures

- a) Performance appraisals should occur for all ecclesiastical ministers at regular, pre-determined intervals.
- b) Performance appraisal procedures presume written job descriptions and clear lines of supervision and accountability.
- c) Performance appraisals should reflect a process of establishing yearly goals and objectives for each ministerial position.
- d) Performance appraisals should include self-evaluation, as well as that of the immediate supervisor, and input from appropriate external sources.
- e) Feedback from performance appraisals is directed toward the mutual growth of each minister and his immediate supervisor.
- f) In the event of consistently poor performance appraisals, a more complete supervisory procedure should be initiated.

Special Note:

The specific manner in which deacons should fulfill this expectation is found in greater detail in The Diaconate Personnel Board's Guidelines for Evaluation.

§207 APPROPRIATE ATTIRE AND TITLE

§207.1. Proper Dress

207.1. Policy No distinctive garb is authorized for other than liturgical services, when, of course, the rubrical vesture is required.

§207.2. Proper Title

207.2. Policy The authorized title is "Deacon". The title, "Rev. Mr." is not authorized for use and is inappropriate in the Diaconate Community of Chicago.

Documentation

Article #130 of Deacons in the United States, Guidelines on Their Formation and Ministry, states:

"The code of Canon Law exempts deacons from the obligation of wearing ecclesiastical garb. However, in exceptional circumstances, a diocesan bishop, with due consideration for the practice of neighboring dioceses and with appropriate consultation, may decide the deacons should wear some distinctive garb when engaged in formal clerical ministry."

"The bishop, likewise, is to determine what title or titles (if any) may be used to indicate diaconal status and the circumstances in which these may be used."

In response to this national guideline the Archbishop has determined that the above is the established practice for deacons in the Archdiocese of Chicago. No extenuating circumstances were considered appropriate.

§208 FINANCIAL ASSISTANCE

§208.1. Family Needs

208.1. Policy Unless a man has contracted for full time ministry with appropriate reimbursement and benefits, he is expected to provide for his own and his family's needs.

§208.2. Benefits to Full Time Personnel

208.2. Policy Benefits for those ministering on a full time paid basis will be determined in accord with the Personnel Policies of the Archdiocese.

§208.3. Yearly Costs

208.3. Policy Each year the parish or agency to which a deacon is officially assigned will contribute a designated amount to the Office of the Diaconate to help defray the costs involved in servicing the Diaconate Community: the Diaconate Council, Personnel Board, retreats, continuing education, and the Office of the Vicar.

Procedure

The level of contribution will be determined annually by the Office of the Diaconate.

§208.4. Stipends for Baptisms, Weddings and Funerals

208.4. Policy Deacons celebrating baptisms, weddings, funerals, and/or interment services shall receive a stipend according to the current *Compensation Guidelines*.

Procedures

- a) In addition to these stipends, consideration should be given to reimbursement for the deacon for expenses incurred in ministry: books, travel, vestments.
- b) When a deacon performs an interment service for a parish other than his own, the parish will forward the stipend directly to the deacon performing the committal.

Special Note:

When situations of financial need do arise, the Mutual Aid Fund of the Diaconate Council is available for assistance.

Documentation

CANON 281, §3 states: "Married deacons who dedicate themselves completely to the ecclesiastical ministry deserve a remuneration by which they can provide for their own support and that of their families; married deacons, however, who receive remuneration by reason of a civil profession which they exercise or have exercised are to take care of their own and their family's needs from the incomes derived from their profession." While the Code specifies "married deacons", this is interpreted as applying to all Deacons, whether married or otherwise.

§209 MINISTRY EXPECTATIONS**§209.1. Ministry Agreement**

209.1.1. Policy Every deacon ministering in the Archdiocese of Chicago shall have a current Ministry Agreement in effect.

209.1.2. Policy A ministry agreement shall be effected with the parish or agency to which the deacon is assigned, or in the case of those in Special Ministries (category two), with the Associate Director or other appropriate supervisor designated by the Vicar.

Procedures

- a) When a new pastor, agency director, or administrator is named, procedures outlined in the "Operating Policies of the Deacon Personnel Board", (Section II., Articles 5.5, 5.6, 5.7) should be followed.
- b) Deacons who do not have a current Ministry Agreement will have their ministerial situation reviewed by the Deacon Personnel Board.
- c) Normally, difficulties should be handled by the Deacon Coordinator responsible for the deacon.
- d) If the Coordinator needs assistance, he will invite the assigned Associate Director to become involved in the dialogue.
- e) Should the situation dictate a change of ministry, the Deacon Personnel Board will be notified. A representative of this Board will then be assigned by the Board Chairman to be the contact person with the deacon. The recommendation of the Board will guide the Vicar as to the course of action.
- f) Should the above steps fail to resolve the issue, the deacon will be placed in an "Inactive" status until such time as a Ministry Agreement can be arranged with some parish, agency or in the "Special Ministry" category.
- g) While deacons are in the "Inactive" status, they will not function in any ministerial capacity. Faculties as deacon are revoked or cease while inactive.
- h) Should the deacon so choose, the Personnel Board will place his name on a list of deacons available for ministerial assignment and assist him according to their guidelines.

- i) The deacon may return to active status at any time when he, with the assistance of the Personnel Board, is able to accomplish a ministerial assignment in keeping with the approved policies and procedures.

§209.2. Proposed Minimum Expectations for Diaconal Ministry

209.2.1. Policy Each deacon shall have an approved Ministry Agreement with a parish, agency, or institution.

209.2.2. Policy Each deacon shall invest a minimum of ten (10) hours per month in public ministry, excluding liturgical functions.

209.2.3. Policy Each deacon shall fulfill the liturgical and/or administrative functions defined under his contract with his parish.

209.2.4. Policy Each deacon shall fulfill his obligations for continuing education and annual retreat.

§209.3. Evaluation

209.3.1. Policy An evaluation of the deacon's fulfillment of minimums defined above will be performed annually by the consignor of the deacon's Ministry Agreement, or by special review at any time by the Vicar as recommended by the Deacon Coordinators or other responsible parties.

209.3.2. Policy If married, the deacon's wife will be encouraged to participate in the evaluation, as appropriate.

§209.4. Failure to Fulfill Minimum Requirements

209.4.1. Policy If a determination has been made by the Vicar that a deacon has not fulfilled minimum expectation for diaconal service as defined above, the deacon, the deacon's wife and the Vicar or Vicar's representative shall develop an action plan to restore the deacon to at least minimum performance within a time frame acceptable to the Vicar or his representative.

209.4.2. Policy If an action plan acceptable to the Vicar cannot be agreed upon, or if the action plan fails to bring the deacon's ministry to acceptable levels of performance, the Vicar, in consultation with the Deacon's Personnel Board, will place the deacon on administrative leave pending further determination to place the deacon on inactive status.

§210 LEAVE OF ABSENCE¹

§210.1. Temporary Leave

210.1.1. Policy A leave of absence may be granted to a deacon when formally requested in writing to the Vicar of the Diaconate Community. After a personal meeting with the Vicar a leave may be granted for reasons of health, study, personal problems, family commitments, change of occupation or parish situation, or temporary relocation from the Archdiocese.

210.1.2. Policy Temporary leave will be granted for a period agreed upon by the Vicar and the deacon. The situation will be reviewed upon termination of set period, and may be extended if both parties deem this necessary and suitable. A deacon may request return to active ministry before the expiration date agreed upon.

210.1.3. Policy A deacon on temporary leave still possesses "good standing" within the Archdiocese. He is encouraged to participate in all activities of the diaconal community (social, spiritual, educational). However, faculties cease during this leave and the deacon may not function in any ministerial capacity.

§210.2. Administrative Leave

210.2.1. Policy A deacon who is placed on administrative leave is relieved of all responsibility for any ecclesiastical office or function, as well as participation in active ministry. He may not function or represent himself as a deacon while this is in effect.

210.2.2. Policy An administrative leave is usually a temporary withdrawal from ministry. Faculties are revoked, or cease, pending resolution of the reason(s) for the leave of absence.

210.2.3. Policy If the reasons for the administrative leave are resolved favorably, the deacon will be returned to the "active" status. Lacking a favorable resolution, the deacon will either be placed on "inactive" status indefinitely or even "suspended" if warranted canonically.

¹There are two types of leaves presently granted; a temporary leave for a designated period or an administrative leave which is unlimited with return to ministry dependent on deacon's request, his suitability for ministry and the availability of assignment.

§211 RETIREMENT OF DEACONS

§211.1. Retirement at Age 70

211.1. Policy It is the option of the deacon to request retired status at age 70. The deacon shall be responsible for notifying the Vicar of this decision in writing.

Procedures

- a) A deacon may request retired status at any age for health reasons if he has been in good standing (those who have performed ministry at or above minimum standards).
- b) Retired status limits the deacon to functions at weekend liturgies and offer occasional, not regularly scheduled, ministry as he is able and requested.
- c) Deacons in retired status are no longer expected to have current ministerial agreements. Verbal agreements with the pastor are sufficient.
- d) Retired deacons are encouraged to participate in retreats and continuing education programs and all other activities of the Diaconate Community. The parish/agency which the deacon serves is expected to meet the costs involved as they are incurred.
- e) Retired deacons who move out of the Archdiocese, or who are absent for extended periods of time on a regular basis, will work out circumstances of their ministry through dialogue with the Vicar. They will not have the faculties of the Archdiocese extended to them on an ongoing basis.
- f) Public recognition of retirement should be prepared by the Vicar's office for publication in the New World and submission to other media.

§211.2. Change in Status

211.2. Policy Should a deacon not wish to change his status or agreement, the agreement in effect shall continue to be operative until its date of termination.

Procedure

Deacons involved in ongoing, regularly scheduled ministry are not to be considered in retired status regardless of age. They must maintain current and viable ministry agreements and meet our expectations for active service ministry, continuing education and annual evaluation.

§211.3. On-Going Ministry

211.3. Policy Deacons involved in ongoing, regularly scheduled ministry are not to be considered in retired status regardless of age.

§211.4. Health Reasons

211.4. Policy A deacon may request retired status at any age for health reasons if he has been in good standing (those who have performed their ministry at or above minimum expectations).

§211.5. Weekend Ministry

211.5. Policy Retired status limits the deacon to function at weekend liturgies and offer occasional, not regularly scheduled, ministry as he is able and as requested.

§211.6. Benefits and Information

211.6. Policy A retired deacon shall continue to be privy to all benefits and information accorded to all active deacons.

Procedures

- a) Retired deacons are encouraged to participate in retreats and continuing education programs and all other activities of the Diaconate Community. The parish/agency which the deacon served is expected to meet the costs involved as they are incurred.
- b) Retired deacons who move out of the Archdiocese, or who are absent for extended periods of time on a regular basis, will work out circumstances of their ministry through dialogue with the Vicar.
- c) Public recognition of retirement should be prepared by the Vicar's office for publication in The New World and submission to other media.

§212 SEPARATED OR DIVORCED DEACONS

It is recognized that the demands made on marriages today can sometimes become difficult and overwhelming causing couples to question their relationship and commitment to each other.

Referral for counseling assistance is available to our deacons, their wives, and families. Resources (i.e. Mutual Aid Assistance) will be made available as needed by contacting the Vicar's office.

§212.1. Notification of Pastor or Supervisor

212.1. Policy The deacon's pastor or supervisor shall be made aware of a contemplated separation or divorce.

Procedures

- a) The pastor and/or deacon will inform the Vicar of any such action.
- b) If counseling has not been sought by the couple, the pastor and/or Vicar will encourage same.

§212.2. Ministerial Status

212.2. Policy Ordinarily, a separation or a divorce shall not affect the ministerial status of a deacon. However, if there is to be a change in status, either temporary or permanently, the following procedure should be followed:

Procedures

- a) The deacon, his wife (if possible), pastor and Vicar will meet to discuss any change in status that may be necessary. In no way should a change of status be construed as anything other than the proper and agreed upon response to a possible painful situation for the deacon, his wife and family.
- b) If a deacon is placed on a temporary leave of absence, administrative leave of absence, or is suspended as a result of his marital difficulties, he may at any time request a meeting with the Vicar and his pastor/supervisor to review his return to active status.

§300 DIACONATE COMMUNITY ASSISTANCE PROGRAMS

§301 INDIVIDUAL AND FAMILY COUNSELING

The tremendous demands made on marriages today can often be heightened by the additional challenge of ministry. The Cardinal has made these supportive services available and encourages their use.

301.1. Policy Should any individual or family within the Diaconate Community need the services of trained counselors, contact the Office of the Vicar for appropriate Counseling.

§302 CHEMICAL DEPENDENCY PROBLEMS

302.1. Policy A Chemical Dependency Advisory Team has been formed to minister to members of the Diaconate Community (Deacons, wives, family members). The purpose is to provide comfort and aid should any of deacons suffer from this disease, or should they be affected by another family member who does.

Procedures

- a) This dependency takes many forms: alcohol, the myriad drugs now available. While one may not be directly involved in such abuse, he may be deeply affected by a spouse, a parent, or child. All those affected need assistance.
- b) The team of trained men and women from our diaconal community is available on a 24-hour a day basis. When responding to a call either by phone or in person, the team member or members will gather information relative to the problem, assess the need and formulate a response.
- c) The team is familiar with various treatment programs and self-help groups. They will also be available to ascertain what financial assistance might be available for such help through medical insurance and through Archdiocesan programs.
- d) Confidentiality will be maintained at all times in every instance.

§303 MUTUAL AID FUND

303.1. Policy In the spirit of service to our brothers and sisters in Christ, the Mutual Aid Fund of the Diaconate Community of the Archdiocese of Chicago exists to provide aid to the deacons and their families in times of need. The need may be in the form of spiritual support during a period of personal crisis, counseling or financial assistance in a time of hardship.

Procedures

- a) Funds in support of the Mutual Aid activities shall be raised through the efforts of the Diaconate Council, from the Diaconate Community at large, and other interested parties. This shall be accomplished via periodic mailings requesting donations to the Diaconate Mutual Aid Fund and other such methods as the Diaconate Council deems appropriate.
- b) The identification of those in need shall be the responsibility of the entire Diaconate Community. This responsibility shall be communicated to each deacon through the various publications of the Diaconate Community of the Archdiocese of Chicago, at deanery meetings of the deacons, at various public gatherings of the Diaconate Community and at other gatherings when appropriate.
- c) The Mutual Aid Fund shall be administered by the Executive Committee of the Diaconate Council. The Executive Committee of the Diaconate Council consists of the Chairman, Vice Chairman, Secretary and Treasurer.
- d) Knowledge of a needy deacon or his family should be communicated to a member of the Executive Committee. It shall then be the responsibility of the Executive Committee to determine the level of need through discussions and/or meetings with the individual deacon and offer the aid appropriate to the situation. When it is possible to use the professional resources of other agencies, such as Catholic Charities, such should be considered.
- e) The Treasurer of the Diaconate Council shall be responsible for the management of the financial resources of the Mutual Aid Fund. The Treasurer shall be required to make periodic reports to the Diaconate Council, and shall be required to report annually to the entire Diaconate Community the financial condition of the Mutual Aid Fund.

§400 EXERCISE AND EVALUATION OF THE MINISTRY OF DEACONS

§401 BASIC FACULTIES AND PERMISSIONS

§401.1. Granting of Faculties

401.1. Policy Upon the recommendation of the Vicar for the Diaconate Community, with the consent of the pastor, it is the canonical duty of the Office for Canonical Services to extend faculties for ministry to deacons.

§401.2. Permission for Exercise of Faculties

401.2. Policy Permission for the exercise of these faculties and other pastoral responsibilities in the parish shall be provided in a written ministerial agreements between the pastor and the deacon (See §03 Ministry Agreement, herein).

Procedures

a) In the Archdiocese of Chicago, a deacon is normally given the following faculties:

- Baptism Can. 861-1
- Communion Can. 910-1
- Exposition of the Blessed Sacrament Can. 943
- Marriage-if Faculty granted Can. 1111
- Blessings Can. 1169-3
- Preaching if granted Can. 767-1
- Wake/Cemetery Service
- Holy Communion to the Sick
- as deacon at Mass

b) When granted these faculties, it is expected that a deacon will exercise them (unless excused by a legitimate impediment [CAN. 274-2]) in order to build up the Body of Christ in accord with each one's own condition and office in serving the common good of the faith community.(CAN 208)

c) Restrictions on these faculties or permissions for their exercise shall be made in accord with §202.2, Supervision, herein. Refer also to §1100, Priest Policies, for other restrictions related to Sexual Misconduct with Minors.

§401.3. Cooperation

401.3. Policy The deacon is to co-operate with his Pastor, parochial administrator, or priest moderator (according to the circumstances in the pastoral care of the community to which he is assigned as specified in Can. 517§2, Can. 519, or Can. 540.)

§401.4. Member of Staff

401.4. Policy The deacon , by virtue of his ordination and his ministry within the parish, agency, or institution shall be a member of the parish staff or institution staff and be invited to participate in its meetings, and so share in the development of decisions which affect the faith community.

§401.5. Assistance of Board

401.5. Policy If the Pastor/Director and the Deacon cannot agree on the Deacon's specific service and exercise of the faculties, and/or the Pastor/Director refuses an explanation, the Deacon may solicit the assistance of the Board.

§401.6. Job Description

401.6. Policy Every parish, agency or institution of the Archdiocese will retain a Deacon Job Description in its portfolio of ministry job description.

§402 MINISTRY EVALUATION

§402.1. Written Evaluation

402.1. Policy The Deacon shall be subject to the same formal annual written evaluation required of all ministers in the parish or institution he serves in accord with the established policies of both the Archdiocese and Diaconate Community.

§402.2. Supervision

402.2. Policy The Deacon should function as a leader within the parish, agency, or institution and be subject to the supervision of the Pastor/Director. Recognizing the complexity and demands of the role of Pastor/Director, the Pastor/Director may assign supervisor working within the area of responsibility the Deacon is ministering.

§402.3. Periodic Meeting with Supervisor

402.3. Policy The Deacon's supervisor, either Pastor/Director or assigned supervisor, shall meet periodically with the Deacon to evaluate the Deacon's ministerial activities, and if necessary counsel him on ways of improving his skills.

§402.4. Annual Evaluation

402.4. Policy An annual evaluation of the Deacon's ministerial performance should be conducted by the Deacon's supervisor. The evaluation should be an objective review of the Deacon's performance and not based on personal expectations. The evaluation form provided by the Personnel Board must be signed by both the supervisor/pastor and the Deacon as being in agreement with the evaluation.

§402.5. Conflict Resolution

402.5. Policy If there is disagreement about the evaluation and either party refuses to sign the evaluation form, a meeting shall be scheduled between the Deacon, the Pastor/Director, and/or a member of the Personnel Board, and the Deacon Delegate to discuss the areas of disagreement and resolve them.

§402.6. Meeting With Pastor

402.6. Policy When the Pastor/Director is not the Deacon's supervisor, the Pastor/Director shall meet with the Deacon to review the Deacon's ministerial performance as documented by the Deacon's acceptance of the evaluation, and to affirm the Deacon's contribution to the spiritual life of the community.

§402.7. Unsatisfactory Evaluation

402.7. Policy If a Deacon receives an unsatisfactory evaluation, a member of the Personnel Board shall meet with the Deacon to discuss improving his ministerial performance.

§402.8. Future of Ministry

402.8. Policy If a Deacon receives two consecutive unsatisfactory annual evaluations, the Board shall arrange a meeting with the Deacon, the Pastor/Director, a member of the Personnel Board, and the Deacon Delegate to discuss the Deacon's future ministry within that parish, agency, or institution.

§403 MINISTRY AGREEMENT

§403.1. Written Agreement

403.1. Policy It is the policy of the Archdiocese that all Deacons execute a written Ministry Agreement with the parish, agency, or institution to which they are assigned. All agreements will begin on July 1 and end on June 30. Newly ordained Deacons will negotiate a one year Ministry Agreement with their Pastor/Director. Agreements of a three year duration are recommended thereafter.

Procedures

- a) The agreement must be forwarded to the Board; photocopies should be retained by the Pastor/Director and the Deacon
- b) Any Deacon who does not wish to renegotiate his agreement with the parish, agency, or institution he is serving should communicate this in writing to his Pastor/Director before placing his name on the Deacon's Open List.
- c) Deacons moving to a new assignment will be on probation for six months, at which time a performance evaluation will be given. At the end of the probationary period, the Pastor/Director and the Deacon will be contacted by a member of the Personnel Board, at which time the Personnel Board will make a determination about future ministry.
- d) At the discretion of the Personnel Board, the probationary period can be waived or extended.

- e) If an administrator is named to the parish, agency or institution, the administrator should review the Deacon's Ministry Agreement in force and become familiar with its content. There should be no changes to the agreement or suspension of the Deacon's ministerial activities defined in the agreement.
- f) If a new Pastor/Director is named to the parish, agency, or institution, he should meet with the Deacon, and the Deacon's wife, if the Deacon requests it, to review the Ministry Agreement in force. No changes should be made to the Ministry Agreement unless agreed to by the Pastor/Director and the Deacon.
- g) If a Deacon's Ministry Agreement expires within a three month period at the time a new Pastor/Administrator/Director is assigned, the Deacon will be issued a six month extension beginning the date the new Pastor/Administrator/Director is assigned.

§404 PUBLICATIONS OF OPENINGS

§404.1. Publish Open Listings

404.1. Policy The Vicar/Board shall periodically publish a list of openings for diaconal ministry.

§404.2. Notification of Board

404.2. Policy Deacons seeking new assignments shall notify the Board. Their request will be forwarded to those parties, agencies, and institutions of the Archdiocese of Chicago seeking Diaconal assistance.

§405 FULL TIME DEACON ASSIGNMENTS

405.1. Policy Deacons devoting full time in the service of the Church without remuneration shall be governed by Canon 281-3.

§406 EXPENSE REIMBURSEMENT

406.1. Policy Deacons shall be reimbursed for all authorized expenses they incur for the benefit of the parish, agency, or institution they serve. This shall include, but not be limited to travel, meals, lodging, required materials, telephone, postage and meeting or seminar fees. The expense shall be approved by the Pastor/Director prior to being encumbered. (See Section VI, page 17 of the Diaconate Policies and Procedures.)

§500 ASSIGNMENT OF DEACONS IN SPECIAL MINISTRIES

§501 APPOINTMENT OF ASSOCIATE DIRECTOR

501.1. Policy The appointment of an Associate Director as the supervisor for the individuals in the categories listed below shall be made by the Vicar. This shall be done after consultation with both the Associate and the individual deacon. Both must be willing to accept this arrangement. If it is unacceptable, another Associate shall be assigned.

Procedures

CATEGORY ONE

Those working full time in other than parish ministry: hospitals, prisons, Archdiocesan Agencies, Catholic Charities, etc.

- a) Each deacon shall have a job description and ministry agreement with the supervisor assigned within his work environment.
- b) If he also ministers on weekends or when available in a parish setting, a ministry agreement shall also be completed with the local pastor.
- c) Each deacon is also asked to have a ministry agreement and description of his full time diaconal ministry completed with an Associate Director. This will ensure contact with the Diaconate Community as regards the larger part of his life's work, and also provide the basis for evaluation within the expectations of the Personnel Board. While periodic evaluation may take place within the work place, this is not necessarily directed to specific diaconal evaluation.

CATEGORY TWO

Those not presently assigned to parish ministry, for whatever reasons, but engaged in some aspect of ministry: hospitals, nursing homes, Marriage Tribunal, Archdiocesan Agency or Program, Diaconate Community, etc. Involvement to be considered ministerial according to the Personnel Board's determination.

- a) Each deacon shall have a job description and ministry agreement which has been developed in dialogue with whomever is responsible

for coordinating or supervising the ministry in which he is engaged. This should be made available to the Vicar for his approval prior to official assignment of the deacon to this special ministry.

- b)** Each deacon is also asked to have a ministry agreement covering the above, completed with an Associate Director. While some evaluation of the individual may be afforded within the ministerial environment, a periodic evaluation by an Associate according to Personnel Board requirements is expected.

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