



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

Policies and Procedures Manual

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3.01 NON-DISCRIMINATION CLAUSE

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

3.02 CLASSIFICATION OF EMPLOYEES

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

3.02.1 Exempt Employees

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

3.02.2 Non-Exempt Employees

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

3.03 PERSONNEL FILES

Personnel files must be maintained for each employee in a locked file cabinet located in the principal's office. See United States Conference of Catholic Bishops guidelines at www.usccb.org. Search for "retention of records."

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

- Application
- Resume
- Reference documentation
- Job description
- Years of service (include all places where employee has worked)
- Timesheets for non-exempt employees
- Signed and dated evaluations/assessments and growth plans for current and past years
- Education verification (teaching licensure, college transcripts, etc.)
- Current contract or Summary of Employment
- Documentation that background check has been sent to Diocese of Little Rock
- Copy of state employee withholding tax form
- Copy of federal employee withholding tax form
- Copy of insurance enrollment forms

- Signed copy of acknowledgement of Sexual Abuse of Minors Policy form
- Signed copy of acknowledgement of Sexual Misconduct with Adults Policy form
- Catechist certification (if applicable)
- Record of in-service hours
- Deficiency removal plan (if applicable)
- Employee emergency contact form
- Employee change of benefit form (completed when person leaves)

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

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

Who can see personnel files:

- Only those in the organization who have legitimate business shall access the file
- Individual employees have a right to examine his/her personnel file at a time mutually agreed upon with the principal

3.04 HIRING STAFF

3.04.1 Hiring Principal

Applicants for the principal's position should be Catholic and in good standing with the Church. The applicant will first be screened by the superintendent. The pastor will be given guidelines that will assist in the selection process. The final hiring decision for a principal rests with the pastor in consultation with the superintendent.

3.04.2 Hiring Associate/Assistant Principal

Whenever it is deemed necessary and advisable, an associate/assistant principal may be hired by the principal with approval of the pastor and in consultation with the superintendent. Responsibilities and roles of the associate/assistant principal are determined by the individual school.

3.04.3 Hiring Teachers and Other Personnel

The principal is ultimately responsible for hiring qualified staff and making final employment decisions in consultation with the pastor. Prior to making the decision for employment, at least three (3) references must be thoroughly checked and documented. Job application reference forms are available from the Office of Catholic Schools.

3.04.4 Hiring Substitute Teachers

A paid substitute teacher must receive at least the minimum hourly wage. For long-term

substitutes working three months or more, Catholic schools shall employ substitute teachers who are qualified and degreed.

3.05 SCHOOL PERSONNEL STANDARDS

A major goal of the Catholic schools is to create a Christian educational community. For this reason employees in the schools should meet the following criteria:

- Be willing to uphold the teachings of the Catholic Church
- Have a commitment to Christian living
- Understand and accept the role of the school as a unique pastoral educational agency of the Church
- Understand and be willing to implement the mission, philosophy, and goals of the school
- Be willing to attend liturgies and prayer experiences
- Be willing to mirror the Gospel values
- Understand the importance of integrating the Gospel values into the curriculum

3.06 TEACHER QUALIFICATIONS

All teachers must have a minimum of a bachelor's degree from a four-year accredited institution of higher education and be qualified to teach in his/her major or minor field of study. When requesting an exception to this standard, the school must submit a deficiency plan for approval to the superintendent of the Office of Catholic Schools.

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

3.07 RELIGION TEACHER QUALIFICATIONS

Teachers of religion must be practicing Catholics who hold or are working toward obtaining a Diocese of Little Rock Catechist Certificate.

3.08 TERMS OF EMPLOYMENT

3.08.1 Diocesan Safe Environment Program

3.08.1.1 *VIRTUS Protecting God's Children for Adults*

All employees and all volunteers must attend a Diocesan Safe Environment Program: *VIRTUS Protecting God's Children for Adults*. A list of training dates can be found on the Diocesan website, www.dolr.org.

3.08.1.2 Screening Release Form

All employees and volunteers are required to complete the Diocese of Little Rock Screening Release Form for a background check.

3.08.1.3 VIRTUS Online

All employees and all volunteers must register with VIRTUS Online and be current with the required monthly bulletin readings.

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3.08.1.4 Diocesan Policy Statement on Sexual Abuse of Minors

All employees and all volunteers must read and sign the Diocesan Policy Statement on Sexual Abuse of Minors.

3.08.1.5 Diocesan Policy Statement on Sexual Misconduct with Adults

All employees must read and sign the Diocesan Policy Statement on Sexual Misconduct with Adults.

3.08.1.6 Diocesan Laity Code of Conduct

All lay employees must read and sign the Diocesan Laity Code of Conduct. A lay volunteer or employee is any person who functions in the name of the Church.

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

3.08.2 Employment Eligibility Verification (I-9 Form)

In compliance with the Immigration Reform and Control Act of 1986, the Catholic schools in the Diocese of Little Rock require all employees hired since November 6, 1986 to have on file a completed Employment Eligibility Verification (I-9 Form). All other state, federal, and Diocesan forms must be completed and sent to the proper agencies.

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

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

3.08.4 Screening Procedures for Employment

New employees and new volunteers must undergo screening procedures including reference checks and face-to-face interviews.

3.08.5 Arkansas Department of Human Services

All employees and volunteers working in a licensed daycare program must comply with the Arkansas Department of Human Services regulations.

3.09 CONTRACTS**3.09.1 Principal Contracts**

The school will enter into a contract with the principal, lay or religious. All principals in the Diocesan school system will function under a contract specifying his/her duties and responsibilities, as outlined in his/her job description.

- The school will use the contract approved by the Office of Catholic Schools.
- The contract does not become valid until the principal, pastor, and superintendent have signed the contract.

3.09.2 Teacher Contracts

All professional personnel lay or religious, in the Diocesan school system will enter into a contract with the school specifying his/her duties and responsibilities.

- The school will use a contract approved by the Office of Catholic Schools.
- Contracts are for one academic year with no assurance of renewal.
- Before an administrator signs a contract with a prospective teacher, references will be obtained from previous employers.
- The contract does not become valid until the principal, pastor, and teacher have signed the contract.

3.10 SUMMARY OF EMPLOYMENT FOR NON-EXEMPT EMPLOYEES

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

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

- Job title, job description, and supervisor's name and title
- Work schedule
- Compensation rate
- Benefits
- At-will employer/employee relationship
- Employer's right to amend employment terms
- Terms of employment
- Signatures of employee, supervisor, and pastor

3.11 HONORING CONTRACTS

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

3.12 APPRAISALS/EVALUATIONS

3.12.1 Principal Appraisals

The principal will be appraised by the pastor each year. The Office of Catholic Schools will provide the pastor with an official appraisal process to evaluate the principal. Results of the official principal appraisal will be sent to the superintendent. If the pastor has a concern that arises regarding the principal's ability to perform his/her duties, the pastor will notify the superintendent in a timely manner.

3.12.2 Teacher Appraisals

Teachers will be appraised each year by the principal, using the form provided by the Office of Catholic Schools. Both formal and informal appraisals may be used for performance evaluations.

The purpose for teacher appraisals is that it allows the principal to recognize the achievements of teachers and promote his/her professional growth by evaluating his/her performance.

- The teacher will receive informal and at least one formal appraisal each year.
- A written report will be made of the formal appraisal. This written appraisal may include the areas of improvement needed and the specific time limit to bring about desired improvement.
- The teacher will be permitted to state in writing his/her response to the evaluation and to include this written feedback as an addendum to the completed appraisal.
- Both the principal and teacher will sign the appraisal which will be filed in the teacher's personnel file. The teacher will be provided with a signed copy of the appraisal.

3.12.3 Non-Certified Performance Evaluations

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

3.13 PROFESSIONAL DEVELOPMENT

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

The individual employee is responsible for submitting documentation of in-service to be placed in his/her personnel file.

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

3.14 SALARY

Each school will strive to pay a just wage to all employees.

3.14.1 Salary for Lay Principals and Teachers

The Office of Catholic Schools will provide a recommended scale to be used as a guide for minimum salary and benefits.

3.14.2 Salary for Religious Employees

The salary and benefits for religious are determined by an agreement between the pastors and religious superiors. The Diocese has a recommended salary scale for religious.

3.14.3 Compensation for Non-Exempt Employees

Non-exempt employees will be paid at least the minimum mandated hourly wage as outlined in the Fair Labor Standards Act (FLSA).

3.15 FAIR LABOR STANDARDS ACT (FLSA)

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

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

3.16 BENEFITS FOR FULL-TIME LAY EMPLOYEES

In order to qualify for benefits, and be deemed “qualified”, an employee must work at least twenty (20) hours in a normal work week with a minimum of 1000 hours per year.

3.16.1 Health Insurance

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

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

3.16.2 Life Insurance and Accidental Death and Dismemberment

On the first day of the month immediately following his/her effective date of employment, all qualified employees must be enrolled in the Diocesan life insurance and accidental death and dismemberment program. The cost of individual coverage is paid by the employer and provides a one-time benefit equal to the employee’s annual salary rounded up to the next higher thousand. Coverage for other members of the employee’s family is available on the first day of the month immediately following the effective date of employment at the employee’s expense.

3.16.3 Retirement Plan

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

- After three (3) years of employment in the Diocese, the employer contributes a minimum of 5% of regular compensation to the employee’s retirement account. The employee must have a completed enrollment application on file to participate in the plan.

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

3.16.4 Long-Term Disability Insurance

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

3.16.5 Dental Insurance

On the first day of the month immediately following his/her effective date of employment, qualified employees are enrolled in the Diocesan dental insurance program, unless they have other coverage. The employer pays the premium for the individual employee's coverage. Family members may be added at an additional cost to the employee.

3.16.6 Section 125 Plan

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

3.16.7 Workers' Compensation Coverage

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

3.17 LEAVE OF ABSENCE

3.17.1 Family Medical Leave Act (FMLA)

The Catholic schools of the Diocese of Little Rock grants unpaid leave based on provisions

contained in the Family Medical Leave Act. Leave eligibility is determined by provisions of the FMLA and all accrued paid time is applied concurrently to the non-paid leave period. For more information about unpaid and paid leave and the FMLA, please see the government FMLA poster or contact the Administration and Personnel Office at the Diocese of Little Rock.

3.17.2 Military Leave

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

3.17.3 Sick Leave Full-Time

Full-time employees accrue sick leave at the rate of nine (9) days per school year. Sick leave may be accumulated to a maximum of forty-five (45) days. Sick leave may be used only in the case of an actual illness of the employee or immediate family members (spouse, child, parent). After three consecutive work days of absence, the principal may request medical documentation that the employee is unable to perform essential job functions. Pay will be deducted for any absences in excess of accumulated sick leave.

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

3.17.4 Personal Leave Full-Time

Full-time employees will have personal leave with pay, not to exceed three (3) days per year. This is granted for causes deemed by the principal to constitute a valid absence. Such leave does not accrue. The employee should give reasonable notice to the principal when he/she anticipates the need to be absent. Except in the case of an emergency, personal leave may not be taken during the first or last week of the school year, or on the school day immediately before or after a holiday.

3.18 RECOMMENDED LEAVE FOR NON-EXEMPT EMPLOYEES WORKING FOR 12 MONTHS (1000 hours per year)

3.18.1 Vacation

The following days are recommended based on continuous employment:

Five (5) days after the first year

Ten (10) days after the second year

Fifteen (15) days after the fifth year

Twenty (20) days after the tenth year and thereafter

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

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

3.18.2 Holiday Leave

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

3.18.3 Sick Leave Non-Exempt

A full-time employee is granted (9) sick days per year. Sick leave may be accumulated to a maximum of forty-five (45) days. Sick leave may be used only in the case of an actual illness of the employee or immediate family members (spouse, child, and parent). After three consecutive work days of absence, the principal may request medical documentation that the employee is unable to perform essential job functions. Pay will be deducted for any absences in excess of accumulated sick leave.

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

3.18.4 Personal Leave Non-Exempt

Full-time employees will have personal leave with pay, not to exceed three (3) days per year. This is granted for causes deemed by the principal to constitute a valid absence. Such leave does not accrue. The employee should give reasonable notice to the principal when he/she anticipates the need to be absent. Except in the case of an emergency, personal leave may not be taken during the first or last week of the school year, or on the school day immediately before or after a holiday.

3.19 JURY DUTY

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

3.20 TEACHER TENURE

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

3.21 TERMINATING CONTRACT

Terminating a teacher employee's contract will be the decision of the principal in consultation with the pastor and superintendent. Prior to terminating a teacher there must be consultation with the superintendent. Written notification of termination must be given to the individual.

3.22 RIGHT OF APPEAL

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

- The appeal is to be made in writing and is to delineate the case clearly.
- The written appeal must be made within ten (10) working days of written notification of dismissal.

- The superintendent will review the appeal and determine if it should be sent to a review committee.

3.23 STUDENT SUPERVISION

The supervising staff is responsible for managing the students both within the classroom as well as outside the classroom. Supervising students means both mentally (the person has to be paying attention to the students) and physically (the person is bodily present). Rules and procedures should be in place for the students to follow in the absence of the supervising staff.

3.24 CONFIDENTIALITY

Confidentiality is a serious matter; it is important to protect employees, parish/school business, and the parish/school community. Employees who handle confidential information are responsible for its security and should not discuss it with anyone other than his/her supervisor, principal, or pastor except as provided for by law.

3.25 CHILD ABUSE/NEGLECT AND LIABILITY/REPORTING

Arkansas law requires certain categories of professions to report suspected sexual abuse of minors to the Arkansas Department of Human Services or law enforcement officers. (Ark. Code Ann. § 12-12-507) Even if not required by law, all Church personnel in the Diocese, including volunteers are to report all such incidents, except when to do so would break the seal of confession. When the alleged perpetrator is a member of the personnel of the Diocese, or any of its parishes, entities, or organizations, the accuser shall also convey the allegations immediately to one of the Vicars General, who then immediately takes and documents the actions as outlined in the Diocese of Little Rock Policy Statement on the Sexual Abuse of Minors and the Laity Code of Conduct.

Reports shall be made immediately by telephone and shall be followed by a written report within forty-eight (48) hours if so requested by the receiving agency. (Ark. Code Ann. § 12-12-504)

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

Any person participating in good faith and exercising due care in making a report pursuant to this act shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceedings resulting from such report. (Ark. Code Ann. § 12-12-504)

It is not the role of the parish, school, or organization to investigate or verify the situation but to report the suspected abuse, setting in motion the process of getting help for the child.

3.26 FAMILY-CENTERED COURT CASES

Teachers and principals should avoid taking sides in custody suits, family-centered disagreements, or court cases, unless they are subpoenaed. School personnel shall not serve as witnesses in divorce, child

custody, or other family-related courts. Written statements by school personnel should only be written upon receipt of a subpoena. Written statements, verbal depositions, or testimony should state only facts and not the teacher's or principal's opinion of which parent is a better parent. If an employee is subpoenaed, the superintendent should be notified.

3.27 HARASSMENT

Any harassment of any person by another person working in or attending a Catholic school is prohibited. Any person who has harassed another person is subject to disciplinary actions.

3.28 CYBERBULLYING

Cyberbullying of any kindergarten-12 school employee (public or private) is classified as a Class B misdemeanor. (Ark. Code Ann. §5-71-217 Act 1431)

3.29 INFECTIOUS DISEASES AND/OR LIFE-THREATENING ILLNESSES

The principal, in consultation with the pastor and superintendent, will determine on a case-by-case basis whether and to what extent any employee with an infectious disease or life-threatening illness including, but not limited to, hepatitis, cancer, heart disease, HIV/AIDS, or other sexually transmitted diseases, may continue to work. If the employee's disease or illness is not detrimental to others and the employee is able to perform his/her essential job functions at an acceptable level, the employee may continue to work.

3.30 COPYRIGHT FOR WRITTEN AND RECORDED MATERIAL

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