

# St. Joseph Catholic School Board of Specified Jurisdiction

## STATUTES

### PREAMBLE

The Catholic education of children is rooted in the Church's Teaching Office (*munus docendi*), whereby each member of the Christian Faithful shares in the mission of Christ, in virtue of baptism (canon 204 §1). Under the direction of pastors of souls, especially the Diocesan Bishop, the faithful are assisted in this task by schools which are imbued with a Christian spirit and which strive toward the complete formation of the human person (793 – 796, 798, 800, and 802). Such schools may be considered Catholic schools when they are established or recognized as such by ecclesiastical authority (803 §1).

Historically, Catholic schools in the Archdiocese of Denver have operated as ministries of local parishes, subject primarily to the authority of the Pastor and the Archbishop, who at times has acted personally, with the assistance of another local ordinary<sup>1</sup>, or through another, especially, the Superintendent of Catholic Schools. Seeing the need for new more effective models of leadership to complement and enhance existing ones, the Archbishop, in consultation with the Superintendent and the Presbyteral Council, has permitted the establishment of boards of specified jurisdiction at Catholic parish schools operating within the Archdiocese.

When a board of specified jurisdiction is established at the initiative of the local pastor, a group of lay men and women are drawn together, responsive to their baptismal grace, to cooperate in the direction of the parish school for the sake of building up of the Church and promoting the salvation of souls. Therefore, the activities of a board of specified jurisdiction are always subject to canon law, which serves these ends. In particular, the Archbishop has determined that any such board shall be governed by approved statutes (canon 94 §1-2), consistent generally across the Archdiocese.

The following are the statutes of the board of specified jurisdiction of St. Joseph Catholic School, which were proposed by the local pastor and approved by the Archbishop, dispensing from any contrary provisions of the Archdiocese's particular law (prot. n. 2016-0166):

### ARTICLE I – NAME

The name of this body shall be the St. Joseph Catholic School Board of Specified Jurisdiction (hereafter, "Board").

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<sup>1</sup> According to canon law, the term "local ordinary" includes any of the following: the diocesan bishop, a vicar general, an episcopal vicar within his specified competence, and any others equivalent in law to the diocesan bishop. The "designee" of the local ordinary in the confines of this document is by default the Superintendent, unless the local ordinary explicitly selects another person to be his designee in a given matter.

## **ARTICLE II – PURPOSE AND FUNCTION**

The purpose of the Board is to promote and advance the mission of St. Joseph Catholic School (hereafter, “School”) in educating students to “reach the fullness of the Christian life” (canon 794 §1). To this end, the Board is established to direct and guide the Principal, in collaboration with the Pastor, the Superintendent, and the Archbishop, by providing strategic counsel, recommendations, policy, and directives. In addition, the Board assists the Pastor in the financial management of the School.

The Board has the authority for acting, especially formulating policy, in the particular matters described in these Statutes and on such other matters for which the Archbishop or his delegate specifically requests in writing its advice, counsel or other assistance. The Board has no authority for acting apart from the limited areas defined herein.

## **ARTICLE III – CANON LAW**

All actions of the Board shall be in conformity with canon law, which refers to the ecclesiastical law governing the Catholic Church, including: the principal codification of such law, the Code of Canon Law (1983) as periodically amended or revised and any other canonical legislation, executive acts, or other juridic documents promulgated or issued for the Universal Church by the Holy See, which interprets such canonical legislation and juridic acts; the particular law for the Catholic Church in the United States as approved by the Holy See, which interprets such legislation; the particular law promulgated by the United States Conference of Catholic Bishops, which interprets such legislation; and the particular law, executive acts, and policies promulgated or issued by the Archbishop of Denver; who interprets such canonical legislation and juridic acts.

Although the Board’s “purpose, constitution, government, and methods of operation” (canon 94 §1), are defined in these statutes, in no way shall these statutes be construed as indicative of juridic personality, which expressly is not granted to the Board (canon 114).

## **ARTICLE IV – DUTIES**

The Board fulfills its purpose in carrying out duties and exercising authority in the following areas:

### **SECTION 1. Principal Selection and Evaluation**

1.1 The Board, Pastor, and the Superintendent jointly supervise the Principal. The Board is also responsible for the selection and hiring of the Principal. Likewise, the Board, may terminate the Principal’s employment according to civil law and the policies of the Archdiocese.

1.1.1 Potential principal candidates to be considered by the Board must appear on the Office of Catholic School’s approved principal candidate list.

1.2 Once the Board reaches a decision, by a two-thirds majority vote, to hire or terminate the Principal, the Pastor is to be notified, unless he was actually present

and his consent sought. The Pastor must give or decline consent within fifteen days from notification.

1.2.1 Should the Pastor, despite having been notified, decline or neglect to give consent to either the hiring or termination of the Principal, the Board may seek the intervention of the Local Ordinary or his designee within fifteen days of the decision or the passage of the Pastor's time limit to respond. The Local Ordinary or his designee will decide whether to supply the consent to the Board.

1.2.2 In the case of termination, the Principal, also, may seek the intervention of the Local Ordinary or his designee, according to the universal and particular law and the policies of the Archdiocese.

1.3 The Board is primarily responsible for evaluating the performance of the Principal according to the policies established by the Office of Catholic Schools and/or the particular law of the Archdiocese.<sup>2</sup>

## SECTION 2. Strategic Planning

2.1 The Board is responsible for formulating and reviewing the school's strategic plan. This is to be done through the Board's Strategic Planning Committee, as articulated in Article X, Section 1.

## SECTION 3. School Policy Development and Operation

3.1 The Board will not develop school policy or become involved in the day-to-day operations of the school, as the Principal will make these decisions. Further, the Office of Catholic Schools and the Superintendent retains all the rights and duties delineated in the particular law of the Archdiocese to develop policies, practices, and procedures.

## SECTION 4. Financial Planning and Oversight

4.1 The Board is responsible for formulating and reviewing the school's financial plan. This is to be done through the Board's Finance Committee, as articulated in Article X, Section 2.

4.2 With the cooperation of the Pastor (who, in consultation with the Parish Finance Council, is the financial administrator of the School), and in conjunction with the Principal and appropriate staff, the Board develops the plans and means to secure the financial future of the School. With the consent of the Pastor, it shall review and approve the annual school budget and a five-year financial plan. Furthermore, it shall receive reports and review implementation of both on a regular basis, at least annually.

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<sup>2</sup> The particular law of the Archdiocese is found primarily in the Pastoral Handbook of the Archdiocese which is available on the Archdiocese's website.

## SECTION 5. Development and Fundraising

5.1 The Board is responsible for formulating and reviewing the school's development and fundraising activities. This is to be done through the Board's Development and Fundraising Committee, as articulated in Article X, Section 3.

## SECTION 6. Facilities

6.1 The Board shall develop a plan to maintain and improve the physical plant and grounds of the school in conjunction with the Pastor and the Superintendent. Implementation of said plan must be in conformity with Article IV, Section 4.

## **ARTICLE V – RESERVED AUTHORITY**

### SECTION 1. The Principal

1.1 The Principal is the primary leader within the school and has all the rights and duties delineated in the particular law of the Archdiocese and still in force.

### SECTION 2. The Pastor

2.1 The Pastor is the primary leader of the Parish, and, consequently, in collaboration with the Principal, ensures that the moral and spiritual formation of the School is excellent and consistent with the directives of the Archbishop and his delegates.

2.2 As the administrator of the Parish, he is the financial administrator of the School, as well, in collaboration with the Board, the Parish Finance Council, and appropriate staff.

2.3 In collaboration with the Principal, the Pastor is responsible for advancing and safeguarding the Catholic identity and mission of the School as a ministry of the Parish.

2.4 Without prejudice to the Board's duties described above, the Pastor has the authority to terminate the Principal, according to civil law and the policies of the Archdiocese, without the consent of the Board. For the decision to take effect, however, he must first seek the Board's counsel and the consent of the Local Ordinary or his designee, in advance. In this situation, the Principal shall not be notified of termination until the aforementioned conditions have been met.

2.5 The Pastor has all the rights and duties delineated in the universal law and the particular law of the Archdiocese and still in force.

### SECTION 3. The Superintendent and the Office of Catholic Schools

3.2 The Superintendent and the Office of Catholic Schools has all the rights and duties delineated in the particular law of the Archdiocese and still in force. This includes, but is not limited to, the development and implementation of policies, practices, and procedures pertaining to school operations.

## SECTION 4. The Archbishop

- 4.1 The Archbishop is the chief teacher in the Archdiocese and bears ultimate responsibility, within the Archdiocese, for the quality, effectiveness, and orthodoxy of Catholic education, in accord with universal and particular law.
- 4.2 In addition, the Archbishop has oversight over the financial administration of all ecclesiastical goods subject to his jurisdiction, including that which belongs to parish schools.
- 4.3 The rights and duties of the Archbishop are, especially, the following:
- 4.3.1 The right and duty to watch over and visit Catholic schools and issue prescripts pertaining to their general regulation (canon 806 §1).
  - 4.3.2 The right and duty to be concerned that teachers of religion are outstanding in correct doctrine, the witness of a Christian life, and teaching skill (804 §2). Likewise he has the right and duty appoint/approve teachers of religion and to remove and/or demand that they be removed, if required by religion or morals (canon 805)
  - 4.3.3 The right and duty to exercise careful vigilance over the administration of all the goods which belong to public juridic persons subject to him and to order the entire matter of the administration of ecclesiastical good by issuing special instructions (canon 1276 §1-2).
  - 4.3.4 The right and duty to intervene in case of an administrator's negligence (c. 1279 §1).
  - 4.3.5 The right to receive an annual report from administrators of ecclesiastical goods subject to his jurisdiction (canon 1287 §1).

4.3 The Archbishop may exercise his rights and fulfill his obligations toward the School personally, with the assistance of another local ordinary, or through a delegate, in accord with universal and particular law.

## ARTICLE VI – MEMBERSHIP

### SECTION 1. Membership Defined

- 1.1 The Board shall consist of a minimum of eight, but not more than fifteen voting members and two *ex officio* members that do not vote (the Pastor and the Superintendent or his/her designee). The Pastor appoints each voting member. The Pastor and the Superintendent shall jointly determine the number of seats on the Board.

- 1.2 Voting members must be fully initiated Catholics in the communion of the Catholic Church and intentionally living out the five precepts of the Church (CCC 2041-2043).
- 1.3 Parents of current students are not permitted to serve on the Board, but parents of alumni are encouraged to do so.
- 1.4 Anyone, including current Board members, may submit nominations for additional Board members as openings become available.
- 1.5 Local Ordinary or his designee shall resolve all questions concerning suitability for membership.

## SECTION 2. Appointment and Terms

- 2.1 Each voting member shall be appointed for a three-year term. At the conclusion of the three-year term, the member may be reappointed for an additional three-year term. No Board member will serve more than two consecutive terms. Past board members who have served two consecutive terms shall be eligible for reappointment after having not served on the Board for at least three years.
- 2.2 It is desirable that some members receive consecutive reappointments and others do not so that new members and returning members may serve together.
- 2.3 Each *ex officio* Board member shall serve only during the time he or she holds the pertinent office or position.

## SECTION 3. Resignation and Removal of Board Members

- 3.1 Any voting member may resign at any time by giving written notice to the Chairperson of the Board. Such resignation shall take effect at the time specified therein.
- 3.2 All voting members serve at the discretion of the Pastor, and he may remove a member, prior to the completion of the member's term, if it is determined that the removal is in the best interest of the Board and the School.
  - 3.2.1 In the event of such a removal, the Pastor must notify the Local Ordinary or his designee and explain the reasons for the removal in writing.
  - 3.2.2 In addition, the Board may seek the intervention of the Local Ordinary or his designee, within fifteen days of the removal.
  - 3.2.3 The Board member, also, may seek the intervention of the Local Ordinary or his designee, according to the universal and particular law and the policies of the Archdiocese.

## SECTION 4. Vacancy

4.1 Any vacancy on the Board, prior to the expiration of a term, may be filled by the Pastor for the unexpired portion of the term in the same manner as provided for in the original appointment.

#### SECTION 5. Attendance

5.2 Any Board member who is absent from three regular Board meetings in a year shall be deemed to have resigned as a Board member unless reinstated for the completion of the term, with the written approval of the Board Chairperson and the Pastor.

#### SECTION 6. Compensation

6.2 Board members shall not receive compensation for their services. However, bona fide expenses may be reimbursed.

### **ARTICLE VII- OFFICERS**

#### SECTION 1. Chairperson

1.1 The Board shall be led by a chairperson designated by the Pastor from among the voting members.

1.2 The Chairperson shall lead the meetings of the Board and work with the leadership of the School in setting the agenda for meetings. The Chairperson also will ensure that all committees of the Board work in alignment with the goals of the School.

#### SECTION 2. Secretary

2.1 The Chairperson shall be assisted by a Secretary, whom he or she appoints from among the voting members.

2.2 The Secretary shall keep the minutes of Board meetings and submit copies of the minutes to the Chairperson, who shall distribute these to all voting and *ex officio* members.

2.3 In the absence of the Chairperson, the Secretary shall fulfill the Chairperson's functions at meetings and designate a temporary substitute secretary.

### **ARTICLE VIII – MEETINGS**

#### SECTION 1. Regular Meetings

1.1 Regular meetings of the Board shall be held quarterly, according to a schedule established annually by the Chairperson.

1.2 Any changes to the schedule of meetings should be avoided, but, if necessary, they shall be communicated as soon as possible and, at least, one month in advance of the rescheduled meeting.

## SECTION 2. Special Meetings

- 2.1 Special meetings may be called by the Pastor, the Chairperson, or by at least one third of voting members.
- 2.2 Proper notice must be provided at least one week prior to special meetings.

## SECTION 3 Evaluation and/or Termination of the Principal

- 3.1 At least annually, the Chairperson should designate one regular meeting or convoke a special meeting for the evaluation and/or termination of the Principal.
- 3.2. The Principal is prohibiting from attending such meetings concerning his or her evaluation and/or termination.

## SECTION 4. Meeting Protocol

- 4.1 The Board shall establish an internal policy addressing how and when non-Board members may address the Board. The Board shall establish an internal Board policy dealing with “closed meetings” or executive sessions.
- 4.2 The Board shall establish an internal policy ensuring that telephonic meetings are allowed so long as there is a quorum and that Board members are able to hear and respond to each other.

## SECTION 5. Minutes

- 5.1 The Secretary is responsible for keeping accurate minutes; for keeping a record of the appointment of all committees of the Board; and for all correspondence. The Chairperson will be responsible for distributing the minutes to the entire Board within one-week of the meeting.
- 5.2 The Pastor and The Principal are to ensure that the Parish and the School keep a permanent record of terms, attendance, committee assignments and all reports and documents relating to Board activities.

# **ARTICLE IX– RULES OF ORDER**

## SECTION 1. Consensus

- 1.1 As much as possible, the Board shall reach consensus on all actions.
- 1.2 Ordinarily, consensus or recommendations regarding policy matters and other major issues are not reached at the “first reading.” The “second reading” of the policy occurs after additional consultation, committee work, and clarification. At that time, the Board begins its consensus building and recommendation process.

## SECTION 2. Voting



2.1 In matters within the authority of the Board, a simple majority vote of the voting members shall constitute the action of the Board, unless otherwise stated herein.

2.2 Decisions to hire or terminate the Principal or decisions pertaining to the evaluation of the Principal shall require a two-thirds majority vote.

### SECTION 3. Parliamentary Rules

3.1 Where necessary, parliamentary rules may be employed using Robert's Rules of Order (latest copyright date) as a guide.

3.2 The Chairperson shall appoint a parliamentarian when appropriate.

### SECTION 4. Quorum

4.1 Provided that at least one *ex officio* member is present, a simple majority of the voting members of the Board shall constitute a quorum for each meeting.

### SECTION 5. Special or Ad Hoc Committees

5.1 Special or ad hoc committees shall be established by action and approval of the Board.

## ARTICLE X – STANDING COMMITTEES

The Board shall have the following standing committees, each of which shall have the responsibilities listed below and such other responsibilities as may be delegated to them from time to time by the Chairperson in consultation with the Board.

### SECTION 1. Strategic Planning Committee

1.1 The Strategic Planning Committee shall:

1.1.1 Develop the school's Strategic Plan and assist other committees in aligning the plan with a consistent school vision;

1.1.2 Review and analyze enrollment trends within the geographical area and create strategies to strengthen student recruitment and retention utilizing effective marketing strategies;

1.1.3 Issue a report at least annually on the utilization of the school within the local geographical area given the current enrollment and projections on future Catholic identity, enrollment, finances, academics, facilities, and marketing;

1.1.4 Collaborate with the Office of Catholic Schools to create school specific strategies for advocacy and promotion of the school's brand in an effort to recruit additional board members and benefactors;

- 1.1.5 In support of programs initiated by the Office of Catholic Schools, identify school and geographic specific methods to augment the implementation of these initiatives;
- 1.1.6 Serve as a resource in supporting parent organizations in the school *i.e. Home School Associations*;
- 1.1.7 Investigate procurement strategies to economize purchasing.

## SECTION 2. Finance Committee

2.1 The Finance Committee shall perform the following functions, in conformity with Article IV, Section 4.2:

- 2.1.1 Establish and oversee the school budget in conjunction with the Pastor;
- 2.1.2 Monitor achievement of budgetary goals;
- 2.1.3 Work with the Pastor, Superintendent, and Archdiocesan Staff in obtaining and reviewing monthly financial reports;
- 2.1.4 Review, approve and present school budget to the Parish Finance Council;
- 2.1.5 Conduct quarterly school budget reviews to ensure compliance with school budgets and assist the Pastor or his designee with remediation where necessary.

## SECTION 3. Development and Fundraising Committee

3.1 The Development and Fundraising Committee shall perform the following functions in strict conformity with the Archdiocese's particular law regarding fundraising and capital campaign activities:

- 3.1.1 Create and implement plans to attract necessary philanthropy and other resources to sustain and enhance the fulfillment of the school's programs and mission;
- 3.1.2 Collaborate with the Strategic Plan Committee to identify programming in need of funding and secure such funding for the school;
- 3.1.3 Consult with the Office of Catholic Schools on the school's annual fundraising goals as well as major development campaigns and events;
- 3.1.4 Research available grant opportunities for the region and schools in conjunction with the Superintendent;
- 3.1.5 Identify potential board members with strong philanthropic relationships in conjunction with the Superintendent.

## SECTION 4. Executive Committee

4.1 The Executive Committee shall operate in the following manner:

4.2 The Chairperson of the Board shall be the Chair of the Executive Committee. The Executive Committee shall be limited to seven members. The Secretary shall serve on the Executive Committee. The Superintendent, Pastor, and Chairs of all other standing committees shall serve on the Executive Committee.

4.3 The Executive Committee shall assume those functions ordinarily assumed by other Board committees, if such committees are not established.

4.4 The Executive Committee shall be charged to act on behalf of the Board on matters needing Board attention during the time between Board meetings.

4.5 Any action of the Executive Committee shall be reported for ratification at the next meeting of the Board.

## ARTICLE XI – ECCLESIASTICAL GOODS

All temporal goods<sup>3</sup> that belong to the School and/or the Parish are considered ecclesiastical goods under the jurisdiction of the Archbishop (canon 1257 §1). Consequently, their acquisition, retention, administration, and alienation are subject to all pertinent provisions of universal and particular law.

## ARTICLE XII – DISPUTE RESOLUTION

Disputes shall be resolved consistent with the principle of subsidiarity. There should be good faith attempts to resolve any disputes locally before approaching the Local Ordinary or his designee, without prejudice to the specific procedures described above and the rights and obligations of the faithful under universal and particular law.

## ARTICLE XIII – DURATION

The Board is intended to exist indefinitely in order to adequately fulfill its intended purposes, but it may be dissolved, that is, suppressed completely at any time through the executive act of the Archbishop.

## ARTICLE XIV – AMENDMENTS

Without prejudice to the right of the Archbishop to amend these Statutes at any time, the Board also may amend these Statutes with a two-thirds majority vote of the Board in favor and with

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<sup>3</sup> Temporal goods may be defined as “all non-spiritual assets, tangible or intangible, that are instrumental in fulfilling the mission of the Church: land, buildings, furnishings, liturgical vessels and vestments, works of art, vehicles, securities, cash, and other categories of real or personal property” (Robert T. Kennedy, “The Temporal Goods of the Church,” in *New Commentary on the Code of Canon Law*, ed. John P. Beal et al. (New York/Mahwah, NJ: Paulist Press, 2000) 1451.

written consent from the Local Ordinary or his designee. Board members must receive written notice of amendments and copies of proposed amendments one month before a vote to amend.