It shall be the policy of the Diocesan Board of Education that decisions regarding the contracting of the principal of an elementary or secondary school shall be determined by vote of the Parish Board of Education/Regional Board only after completing the hiring procedures established by the Office of the Superintendent of Schools.
ADMINISTRATION

Religion Assessment Tool

It shall be the policy of the Diocesan Board of Education that any Comprehensive Religion Assessment Tool used at the school be approved by the Office of Catholic Schools and the Diocesan Board of Education.
ADMINISTRATION

Supervision of Ongoing Faith Formation for Teachers

Teachers in Catholic schools, whether Catholic or non-Catholic, shall receive consistent and ongoing professional enrichment. To make this possible, the administrator, is to arrange for ongoing faith formation for all teachers.

The Office of Faith Formation provides teacher formation opportunities and certification processes designed to provide formation, annual assessment, recognition, and support.

Policy Adopted: November 15, 2001
Policy Revised: June 5, 2002
Policy Revised: March 2007
Policy Revised: May 17, 2010
Policy Revised: July 11, 2019
Policy Promulgated: July 17, 2019
ADMINISTRATION

Contract Renewal/Non-Renewal

All employees of the schools are considered “at will” employees with no continuing contract. Diocesan policy outlines two methods of termination, non-renewal and termination. The non-renewal procedure should be followed in cases where employees are still in their probationary period. Termination procedures will be followed for all non-probationary employees.

Administrators will be considered probationary for the first two years of employment with the individual school.

Teachers and professional staff shall be considered probationary for the first three years of employment. New teachers and professional staff with prior experience may have all but one year of their probationary period waived.

All support staff will be defined as probationary or not by the local staff handbook.

It shall be the policy of the Diocesan Board of Education that the immediate supervisor/ supervisory body should notify an administrator on or before March 31st of the intent to renew or refrain from renewing the administrator’s contract for the next academic year. This intent must be in the form of a general letter of intent signed by the immediate supervisor/representative of the supervisory body that is delivered either by registered mail or in person.

When dismissal is considered for a principal, the board president or pastor shall make contact with the diocesan superintendent. The diocesan superintendent will assist the pastor or board president in ensuring that all relevant civil laws, as well as Human Resources Policies of the Diocese of Davenport are followed.

When dismissal is considered for a teacher, the administrator shall make contact with the diocesan superintendent. The diocesan superintendent shall assist the administrator and board in ensuring that the dismissal follows civil laws, as well as Human Resources Policies of the Diocese of Davenport.
ADMINISTRATION

Non-Renewal Process

Written notification that the administrator’s contract will not be renewed shall be delivered to the administrator by registered mail or in person by the pastor/provost or by the chairperson of the local Board of Education. The notification should be signed by the pastor/provost and the chairperson of the local Board of Education.

Policy Adopted: November 15, 2001
Policy Revised: June 5, 2002
Policy Reviewed: May 17, 2010
Policy Revised: December 2015
Policy Revised: December 13, 2018
Promulgated: December 18, 2018
Due process is based on the belief that rights and freedoms cannot be abridged without justification and that persons in authority are responsible to protect the rights of those within their jurisdiction. In the Diocesan educational system, the preservation of rights and the resolution of disputes are protected through due process.

The employment of competent personnel within our educational system is a responsibility of the board of education that must be exercised on behalf of learners in our programs. The Diocesan educational system seeks to minimize the necessity for termination or non-renewal of an employee’s contract by means of a positive program of staff recruitment and development. Initial preventive measures are taken whenever recruiters select personnel who have the qualities and competencies for professional growth. For all staff members, professional development is an expected way of life. Provisions are made by every level in the educational system to meet the professional needs of staff members in order that they, in turn, might more effectively meet the needs of students.

Though a board and its administrator need always be knowledgeable about due process, termination and non-renewal procedures, a thorough review of procedural steps is to be undertaken when termination or non-renewal becomes a possibility.

The detailed procedural steps that follow are intended as a practical guide to leaders in Catholic education, as they exercise their responsibility in justice and charity.
Due Process: Growth/Evaluation of Teachers

The administrator will:

1. At the time of recruitment and contracting, inform the teacher in a general way of the established rationale and procedures for professional development, evaluations, and due process. Do this in the context of the individual’s accountability for achieving the goals and objectives of the program and in relationship to the professional assistance given by instructional leadership at the local and diocesan levels.

2. Provide information on policies and procedures dealing with responsibilities, due process, termination, and non-renewal of contract.

3. Involve teachers regularly in assessing institutional needs, in establishing goals and objectives, and in planning and evaluating educational programs.

4. Utilize constructive processes for staff improvement and evaluation within a climate of trust and communication. Professional assistance in achieving goals coupled with support and reinforcement also contribute to this climate.

5. Visit each teacher in his/her area of responsibility regularly using state established improvement and evaluation processes. Keep notes to insure objectivity and consistency in follow-through.
PERSONNEL

Due Process: Non-renewal of Teacher Contracts (For Use with Probationary Teachers)

Consecutive Procedural Steps to Ensure Due Process. Non-renewal of Teacher Contract at End of School Year

In the case of a priest or religious, contact the Office of Catholic Schools for assistance in identifying proper ecclesiastical channels and procedures.

September - February

1. The administrator maintains the personnel file of each teacher, which includes teacher evaluations and any other documentation related to the concerns.
2. The administrator meets with and notifies the teacher* that non-renewal is a possibility. The administrator should offer the teacher a growth plan/expectation for improvement, which includes a statement that continued employment may depend on satisfactory progress. If offered, the teacher must sign the growth plan. The provision for a growth plan is waived when matters of serious nature are involved, prompting immediate action moving toward termination.

Prior to midnight on March 31st

3. Prior to midnight on March 31st, the administrator must meet with and notify the teacher that a recommendation for non-renewal of contract will be made to the board of education. At this meeting, the administrator will provide the teacher written notification of the teacher’s right to a hearing before the board of education, the requirement to request such a hearing, the procedural safeguards to be afforded the teacher at the hearing, as set forth below, and the rationale or reason for non-renewal. This rationale or reason need not constitute “just cause”. A copy of this written notification must be furnished to the board at least twenty (20) calendar days prior to the regular or special board meeting at which the hearing will be held.

Diocesan board acknowledges that circumstances demonstrating significant incompetence or moral scandal may arise that warrant immediate termination of a teacher at any time of the year. The teacher must still be afforded twenty (20) calendar days’ notice prior to a hearing before the board of education.

4. If the teacher desires a hearing before the board, the teacher must so advise the administrator in writing within ten (10) calendar days of receipt of notice and provide a copy to the board president or designee.

At Board meeting to consider termination

5. At the hearing, the administrator recommends to the board in closed session that the teacher’s contract should not be renewed and presents his/her reason or rationale in support of that recommendation. No audio/video recording of this closed session is permitted.

6. At this meeting, while in closed session, the teacher is entitled to be represented by counsel or a spokesperson and will be afforded the following rights:
   a. To confront and question the administrator and any witness(es) testifying adversely to the teacher;
   b. To present witnesses and evidence; and
   c. To comment on the evidence presented and make a statement on his/her behalf.

The board may also desire to retain an attorney to facilitate the hearing.

A non-verbatim record of the hearing will be kept by the secretary to the board or, at the board’s discretion, an individual who is not a board member will be retained to keep a non-verbatim record of the hearing.
PERSONNEL

7. Copies of evidence and proceedings will only be shared with counsel, the teacher, board members, or the diocesan superintendent. Individual board members are not permitted to retain the copies of evidence and proceedings. Upon completion of the hearing, the board will dismiss all individuals, except for those board members with voting rights who were not witnesses at the hearing and legal counsel for the board. The board, while still in closed session, will then deliberate, and decide whether to accept or reject the administrator’s recommendation or to take whatever other action it deems appropriate. The board must then move to open session and the decision made in closed session must be presented, voted upon and approved by a majority of board members, who were not witnesses at the hearing, at that open session before becoming effective. The teacher will be notified by the board president or designee in writing within thirty (30) calendar days. Written notification may be accomplished by personally delivering the notice, by ordinary first class mail, or by certified mail, return receipt requested. Notification by ordinary mail is deemed complete upon mailing.

Appeal

8. The teacher may appeal the board’s decision in writing by certified mail to the Diocesan Board of Education President setting forth the basis for the appeal. Appeal must be made within ten (10) calendar days of receipt of the board’s decision. The appeal to the Diocesan Board of Education will be held in closed session and will be limited to argument on the record made at the hearing before the local board and the exhibits introduced into evidence at that hearing. The teacher is entitled to be represented by counsel or a spokesperson. The local board may also retain an attorney to prosecute the appeal to the Diocesan Board of Education. The Board of Education may question the teacher or the local board’s representative; however, no new evidence will be presented or admitted. The Diocesan Board of Education will act by simple majority vote. The local board’s decision will be sustained unless substantial rights of the teacher have been prejudiced because the local board’s action is:
   a. In violation of rules or procedures;
   b. Unsupported by substantial evidence in the record made before the local board, when that record is viewed as a whole; or
   c. Unreasonable, arbitrary or capricious, or characterized by a clearly unwarranted exercise of discretion.

The President of the Diocesan Board of Education or his/her designee will render the Board’s decision in writing, to the teacher within thirty (30) calendar days of argument, affirming, rejecting, or modifying the decision of the local board. Written notification may be accomplished by personally delivering the notice, by ordinary first class mail, or by certified mail, return receipt requested. Notification by ordinary mail is deemed complete upon mailing.

Regulation Adopted: February 2, 1978
Regulation Revised: December 6, 1986
Regulation Revised: August 15, 2006
Regulation Revised: January 26, 2012
Regulation Revised: December 2015
Regulation Revised: April 4, 2019
Regulation Promulgated: May 30, 2019
Termination of Teacher Contract during the School Year
* In the case of a priest or religious, contact the Office of Catholic Schools for assistance in identifying proper ecclesiastical channels and procedures

Continuing
1. The administrator maintains a personnel file of each teacher, which includes teacher evaluations and other documentation related to the concerns.

2. The administrator meets with and notifies the teacher that performance and growth are unsatisfactory. The principal offers the teacher a growth plan/expectation for improvement, which includes a statement that continued employment may depend on satisfactory progress. The teacher must sign the growth plan. The provision for a growth plan is waived when matters of serious nature are involved, prompting immediate action moving toward termination.

Prior to Midnight on March 31st and at least 20 days prior to the local board meeting to consider termination
A teacher being considered for termination for the upcoming school year will be given written notice of the intent to terminate prior to midnight on March 31st.

3. The administrator meets with and notifies the teacher that performance and growth remain unsatisfactory and advises the teacher that a recommendation for termination of contract will be made in writing to the board specifying the date of that board meeting. At this meeting, the administrator will provide the teacher with written notification of his/her right to a hearing, the requirement to request such a hearing, the procedural safeguards to be afforded the teacher at the hearing as set forth below and the rationale or reason constituting “just cause” for the recommendation of termination. A copy of this written notification must be furnished to the board at least twenty (20) calendar days prior to the regular or special board meeting at which the hearing will be held. The recommendation for termination will set forth the specific grounds for recommending termination.

4. The Diocesan Board acknowledges that circumstances demonstrating significant incompetence or moral scandal may arise that warrant immediate termination of a teacher at any time of the year. The teacher must still be afforded twenty (20) calendar days’ notice prior to a hearing before the local board of education.

5. If the case is severe, the administrator may summarily suspend the teacher from his/her teaching duties with pay, while continuing the procedural steps that follow. Summary suspension is done only after consultation with the Superintendent of Schools. The teacher must still be afforded twenty (20) calendar days prior to the board meeting.

6. If the teacher desires a hearing before the board, the teacher must so advise the administrator in writing within ten (10) calendar days of receipt of the notice and provide a copy to the board president or designee.

At board meeting to consider termination
7. The administrator recommends to the board in executive session that the teacher’s contract should be terminated and presents his/her reason or rationale in support of that recommendation. No audio/video recording of this executive session is permitted.
8. At this meeting, while in executive session, the teacher is entitled to be represented by counsel or a spokesperson and will be afforded the following rights:
   a. To confront and question the administrator and any witness(es) testifying adversely to the teacher;
   b. To present witnesses and evidence; and
   c. To comment on the evidence presented and make a statement on his/her behalf.

The board may also desire to retain an attorney to facilitate the hearing. A non-verbatim record of the hearing will be kept by the secretary to the board, or, at the board’s discretion, an individual, who is not a board member, will be retained to keep a non-verbatim record of the hearing.

Copies of evidence and proceedings will only be shared with counsel, the teacher, board members, or the diocesan superintendent. Individual board members are not permitted to retain the copies of evidence and proceedings.

9. Upon completion of the hearing, the board will dismiss all individuals, except for those board members with voting rights who were not witnesses at the hearing and legal counsel for the board. The board while still in executive session will then deliberate and decide by majority vote whether to accept or reject the administrator’s recommendation or to take whatever other action it deems appropriate. The board must then move to open session and the decision made in the executive session must be presented, voted upon, and approved by a majority of board members, who were not witnesses at the hearing, at that open session before becoming effective. The teacher will be notified by the board president or designee in writing within thirty (30) calendar days of the board’s decision. Written notification may be accomplished by personally delivering the notice, by ordinary first class mail, or by certified mail, return receipt requested. Notification by ordinary mail is deemed complete upon mailing.

Appeal
10. The teacher may appeal the board’s decision in writing by certified mail to the Diocesan Board of Education President setting forth the basis for appeal. Appeal must be made within ten (10) calendar days of receipt of the board’s decision. The appeal to the Diocesan Board of Education will be held in executive session and will be limited to argument on the record made at the hearing before the local board and the exhibits introduced into evidence at that hearing. The teacher is entitled to be represented by counsel or a spokesperson. The local board may also desire to retain an attorney to prosecute the appeal to the Diocesan Board of Education. The Board of Education may question the teacher or the local board’s representative; however, no new evidence will be presented or admitted. The Diocesan Board of Education will act by simple majority vote. The local board’s decision will be sustained unless substantial rights of the teacher have been prejudiced because the local board’s action is:
   a. In violation of rules or procedures;
   b. Unsupported by substantial evidence in the record made before the local board when that record is viewed as a whole; or
   c. Unreasonable, arbitrary or capricious, or characterized by an abuse of discretion, or a clearly unwarranted exercise of discretion.

The President of the Diocesan Board of Education or his/her designee will render the Board’s decision to the teacher in writing within thirty (30) calendar days of argument, affirming, rejecting or modifying the decision of the local board. Written notification may be accomplished by personally delivering the notice, by ordinary first class mail, or by certified mail, return receipt requested. Notification by ordinary mail is deemed complete upon mailing.
Due Process: Growth/Evaluation of Administrator*

1. The Office of Catholic Schools implements policies of the Diocesan Board which call for the growth and development of the administrator. Local boards expect their administrator to participate in regular in-service and workshops. Local boards shall budget funds for that purpose, but participation is not dependent upon the budgeting of such funds.

2. One source of in-service is participation in programs for administrators provided by the Diocesan Office of Catholic Schools. Other sources include area, state, and/or national workshops and conferences.

3. The board will participate in an ongoing evaluation of the administrator's skills, abilities, and competence. The Diocesan Superintendent of Schools will do the summary evaluation for all principals in the Diocese of Davenport.

4. The administrator, through Diocesan Board Policies and handbooks, should be acquainted with Due Process and complaint procedures.

5. Office of Catholic Schools staff will meet with administrators, individually and in groups, to assist their professional growth and personal development.

Regulation Adopted: February 2, 1978
Regulation Revised: July 1984
Regulation Revised: December 6, 1986
Regulation Revised: December 2, 1989
Regulation Revised: August 15, 2006
Regulation Revised: January 26, 2012
Regulation Revised: December 2015
Policy Amended: October 25, 2018
Policy Revised: July 11, 2019
Policy Promulgated: July 17, 2019
Due Process: Nonrenewal of Administrator (For use with a probationary administrator)

In case of a priest or religious, the Office of Catholic Schools should be contacted for assistance in identifying proper ecclesiastical channels and procedures.

September — February

1. To ensure competency and consistency in accomplishing tasks the board may designate a responsible agent. This agent may be:
   a. Board president;
   b. A board member or a committee of board members selected by the board; or
   c. Board as a whole.

The responsible agent meets with the administrator and notifies the administrator that non-renewal of contract is a possibility. The board should offer the administrator a growth plan/expectation for improvement, which includes a statement that continued employment may depend on satisfactory progress. If offered, the administrator must sign the growth plan. The provision for a growth plan is waived when matters of serious nature are involved, prompting immediate action moving toward termination.

If the board decides to proceed with non-renewal:

Prior to midnight on March 31:

2. Prior to midnight on March 31st, the responsible agent of the board must meet with and notify the administrator that a recommendation for non-renewal of contract will be made to the board of education. At this meeting the responsible agent will provide the administrator written notification of the administrator’s right to a hearing before the board of education, the requirement to request such a hearing, the procedural safeguards to be afforded the administrator at the hearing as set forth below and the rationale or reason for non-renewal. This rationale or reason need not constitute “just cause”. A copy of this written notification must be furnished to the board at least twenty (20) calendar days prior to the regular or special board meeting at which the hearing will be held.

The Diocesan Board acknowledges that circumstances demonstrating significant incompetence or moral scandal may arise that warrant immediate termination of an administrator at any time of the year. The administrator must still be afforded twenty (20) calendar days’ notice prior to a hearing before the local board of education.

3. If the administrator desires a hearing before the board, the administrator must so advise the board in writing ten (10) days after receipt of notice of non-renewal.

At Board meeting to consider termination

4. At the meeting, the responsible agent recommends to the board in executive session that the administrator’s contract should not be renewed and the reasons or rationale in support of that recommendation. No audio/video recording of this executive session is permitted.

5. At this meeting, while in executive session, the administrator is entitled to be represented by counsel or a spokesperson and will be afforded the following rights:
   a. To confront and question any witness testifying adversely to the administrator;
   b. To present witnesses and evidence; and
   c. To comment on the evidence presented and make statements in his or her behalf.
The board may desire to retain an attorney or spokesperson to facilitate the hearing and to present evidence as to why the administrator’s contract should not be renewed. A non-verbatim record of the hearing will be kept by the secretary to the board or, at the board’s discretion, an individual, who is not a board member, will be retained to keep a non-verbatim record of the hearing.

Copies of evidence and proceedings will only be shared with counsel, the administrator, board members, and/or the diocesan superintendent. Individual board members are not permitted to retain the copies of evidence and proceedings.

6. Upon completion of the hearing, the board will dismiss all individuals, except for those board members with voting rights who were not witnesses at the hearing and legal counsel for the board. The board, while still in executive session, will then deliberate and decide whether to accept or reject the recommendation or take whatever other action it deems appropriate. The board must then move to open session and the decision made in executive session must be presented, voted upon, and approved by a majority of board members, who were not witnesses at the hearing, at that open session before becoming effective. The administrator will be notified by the board president or designee in writing within thirty (30) calendar days. Written notification may be accomplished by personally delivering the notice, by ordinary first class mail, or by certified mail, return receipt requested. Notification by ordinary mail is deemed complete upon mailing.

Appeal

The administrator may appeal in writing by certified mail the board’s decision to the Diocesan Board of Education setting forth the basis for the appeal. Appeal must be made within ten (10) calendar days of receipt of the board’s decision. The appeal to the Diocesan Board of Education will be held in executive session and will be limited to argument on the record made at the hearing before the local board and the exhibits introduced into evidence at that hearing. The administrator is entitled to be represented by counsel or a spokesperson. The local board may also retain an attorney to prosecute the appeal to the Diocesan Board of Education. The Board of Education may question the administrator or the local board’s representative; however, no new evidence will be presented or admitted. The Diocesan Board of Education will act by simple majority vote. The local board’s decision will be sustained unless substantial rights of the administrator have been prejudiced because the local board’s action is:

1. In violation of rules and procedures;
2. Unsupported by substantial evidence in the record made before the local board when the record is viewed as a whole; or
3. Unreasonable, arbitrary or capricious, or characterized by an abuse of discretion or clearly unwarranted exercise of discretion.

The President of the Diocesan Board of Education or his/her designee will render the Board’s decision to the administrator in writing within thirty (30) calendar days of argument affirming, rejecting, or modifying the decision of the local board. Written notification may be accomplished by personally delivering the notice, by ordinary first class mail, or by certified mail, return receipt requested. Notification by ordinary mail is deemed complete upon mailing.
Due Process: Administrator Termination (For Use with Non Probationary Administrators)

Consecutive Procedural Steps to Ensure Due Process

In the case of a priest or religious contact the Office of Catholic Schools for assistance in identifying proper ecclesiastical channels and procedures

1. To ensure competency and consistency in accomplishing tasks the board may designate a responsible agent. This agent may be:
   a. Board president;
   b. A board member or a committee of board members selected by the board; or
   c. Board as a whole.

2. When the administrator’s performance and growth are unsatisfactory, the responsible agent of the board meets with the administrator to express concerns and observations. The board may request a professional evaluation of the administrator by the Office of Catholic Schools.

   The board offers the administrator a growth plan/expectation for improvement, which includes a statement that continued employment may depend on satisfactory progress. The administrator must sign the growth plan. The provision for a growth plan is waived when matters of serious nature are involved, prompting immediate action moving toward termination.

Prior to midnight on March 31st and at least 20 days prior to board meeting to consider termination

3. Prior to midnight on March 31st, the responsible agent meets with and notifies the administrator that performance and growth remain unsatisfactory, and advises the administrator that a recommendation for termination of contract will be made in writing to the board. At this meeting the responsible agent will provide the administrator with written notification of his/her right to a hearing, the requirement to request such a hearing, the procedural safeguards to be afforded the administrator at the hearing as set forth below and the rationale or reason constituting “just cause” for the recommendation of termination. A copy of this written notification must be furnished to the board at least twenty (20) calendar days prior to the regular or special board meeting at which the hearing will be held. The recommendation for termination will set forth the specific grounds for recommending termination.

4. The Diocesan Board acknowledges that circumstances demonstrating significant incompetence or moral scandal may arise that warrant immediate termination of an administrator at any time of the year. The administrator must still be afforded twenty (20) calendar days’ notice prior to a hearing before the board of education.

5. If the case is severe, the board will summarily suspend the administrator from his/her duties with pay while continuing the procedural steps that follow. Summary suspension is done only after consultation with the Office of Catholic Schools. The administrator must still be afforded twenty (20) calendar days prior to the board meeting.

6. If the administrator desires a hearing before the board, the administrator must advise the board in writing within ten (10) calendar days of receipt of the notice.

At board meeting to consider termination

7. At the meeting, the responsible agent recommends to the board, in executive session, that the administrator’s contract be terminated and states the reason or rationale for this recommendation. No audio/video recording of this executive session is permitted.
8. At this meeting, while in executive session, the administrator is entitled to be represented by counsel or a spokesperson and will be afforded the following rights:
   a. To confront and question any witness(es) testifying adversely to the administrator;
   b. To present witnesses and evidence; and
   c. To comment on the evidence presented and make a statement on his/her behalf.

9. The board may also desire to retain an attorney or spokesperson to facilitate the hearing. A non-verbatim record of the hearing will be kept by the secretary to the board or, at the board’s discretion, an individual, who is not a board member, will be retained to keep a non-verbatim record of the hearing.

Copies of evidence and proceedings will only be shared with counsel, the administrator, board members, and/or the diocesan superintendent. Individual board members are not permitted to retain the copies of evidence and proceedings.

10. Upon completion of the hearing, the board will dismiss all individuals, except for those board members with voting rights who were not witnesses at the hearing and legal counsel for the board. The board, while still in executive session, will then deliberate and decide by majority vote whether to accept or reject the recommendation or to take whatever other action it deems appropriate. The board must then move to open session, and the decision made in the executive session must be presented, voted upon and approved by a majority of the board members, who were not witnesses at the hearing, at that open session before becoming effective. The administrator will be notified by the board president or designee in writing within thirty (30) calendar days of the board’s decision. Written notification may be accomplished by personally delivering the notice, by ordinary first class mail, or by certified mail, return receipt requested. Notification by ordinary mail is deemed complete upon mailing.

**Appeal**

11. The administrator may appeal the board’s decision in writing by certified mail to the Diocesan Board of Education, setting forth the basis for the appeal. Appeal must be made within ten (10) calendar days of receipt of the board’s decision. The appeal to the Diocesan Board of Education will be held in executive session and will be limited to argument on the record made and the exhibits introduced into evidence at the hearing before the local board. The administrator is entitled to be represented by counsel or a spokesperson. The local board may also desire to retain an attorney to prosecute the appeal to the Diocesan Board of Education. The Board of Education may question the administrator or the local board’s representative; however, no new evidence will be presented or admitted. The Diocesan Board of Education will act by simple majority vote.

The local board’s decisions will be sustained unless substantial rights of the administrator have been prejudiced because the local board’s action is:

a. In violation of rules or procedures;

b. Unsupported by substantial evidence in the record made before the local board when that record is viewed as a whole; or

c. Unreasonable, arbitrary, capricious, or characterized by an abuse of discretion or a clearly unwarranted exercise of discretion.

The President of the Diocesan Board of Education or his/her designee will render the board’s decision to the administrator in writing within thirty (30) calendar days of the argument, affirming, rejecting, or modifying the decision of the local board. Written notification may be accomplished by personally delivering the notice, by ordinary first class mail, or by certified mail, return receipt requested. Notification by ordinary mail is deemed complete upon mailing.
PERSONNEL

Due Process: Significant Formal Complaints against Teacher/Staff

If significant formal complaints are made against contractors and non-school employees, the due process is handled through the agency.

This complaint procedure is to be used by a third party — that is someone other than administrator.

Conciliation

1. The initiator discusses the matter with the person against whom the complaint is made (respondent) with the objective of resolving the matter informally at the point of origin.
2. If the problem remains unresolved, the initiator has another meeting with the respondent, this time clarifying in writing the complaint, including specifics such as evidence for complaints, sources of information, etc.
3. If the problem remains unresolved, the initiator or the respondent refers the complaint to the administrator in writing. The administrator has authority for decision-making in regard to the program and its teachers/staff. Teachers/staff are accountable to the administrator; the administrator is accountable to the board of education and the Diocesan Office of Catholic Schools.

The administrator:

a. Names a conciliator; (administrator may assume this task or name another agreeable to the concerned parties)

b. Meets initiator and respondent individually;

c. Meets with initiator and respondent together to facilitate, enable, and/or guide them to a peaceful solution of their problem.

Arbitration

4. If the problem remains unresolved, the administrator or either party may call for a decision-making meeting.
5. The administrator prepares for and chairs the decision-making meeting. The following data may be requested from the initiator and respondent:
   - Initiator’s written description of the problem includes, but is not limited to, specifics, allegations, evidence to support the allegations, sources of information, etc.;
   - Respondent’s written response to the problem.

The chair involves participants as much as possible in coming to a decision. The decision in writing is given to both parties. If the matter remains unresolved, any party may revert to the procedures set forth in DBE 360.4h — “Complaints against an Administrator.”

Policy Adopted: April 8, 1972
Policy Revised: August 15, 2006
Policy Revised: May 17, 2010
Policy Revised: December 2015
Policy Revised: July 11, 2019
Policy Promulgated: July 17, 2019
DIOCESE OF DAVENPORT
BOARD OF EDUCATION

POLICY 360.4h

PERSONNEL

Due Process: Significant Complaints against Administrator

Conciliation

1. The initiator first discusses the matter with the administrator with the objective of resolving the matter informally.
2. If the problem remains unresolved, initiator has another meeting with the administrator, this time clearly stating the complaint in writing, including specifics such as evidence for complaint, sources of information, etc.
3. If the problem remains unresolved, the initiator or the administrator may identify a mutually acceptable conciliator for informal conciliation.
4. If the problem is resolved in the informal conciliation, the conciliator shall prepare a summary statement of the problem and its resolution, and shall affix the signature of the three participants. Each participant is to receive a copy of the signed statement of agreement.

Arbitration

5. If no agreement is reached in steps 1 through 4 above, initiator, respondent/administrator, or conciliator may request arbitration by the local board of education.
6. Evidence provided to the board while serving as arbitrator should include the following:
   • Written description of the problem, by the initiator, including but not limited to specific allegations, evidence to support the allegations, sources of information, etc.;
   • Written response of the respondent/administrator to the problem under discussion;
   • Written report by the conciliator of all conciliation meetings;
   • Any or all of the persons named above be present for the review.
7. The board, meeting in executive session, after hearing the reports, dismisses the parties in attendance and
   • Recommends the continuance of the administrator’s procedures. This means the initiator is expected to accept and comply with the current administrative procedures and practices; or
   • Recommends a change, adaptation, or modification of administrative procedures and practices. This may call for action including professional development/training of the initiator or the administrator or both. The local board may call for a improvement plan which includes provision for professional development/training and evaluation of progress.

Procedures:

a. In the case of an administrator, the improvement plan is developed and carried out in conjunction with the Superintendent of Catholic Schools, or his/her designee;
b. In the case of a teacher, the improvement plan is developed in conjunction with and carried out under the direction of the administrator;
c. In the case of an initiator other than a teacher, a recommended course of action is developed in conjunction with the Superintendent of Catholic Schools or his/her designee.

8. Recourse if action of the board is not accepted:
   Administrator
   • May request a hearing by the Office of Catholic Schools, which has the discretion to recommend a review by the Diocesan Board of Education;
   • May resign his/her position.
**Initiator**

- May request a hearing by the Office of Catholic Schools, which has the discretion to recommend a review by the Diocesan Board of Education;
- May resign his/her position as an employee of the school. May voluntarily terminate his/her relationship with the school.

9. When actions and procedures referred to in #7 above give evidence of insufficient progress, the following actions may be taken:

- **Administrator shows insufficient progress:** Board follows procedural steps as given for “Due Process for Administrators” (DBE 360.4d-f);
- **Teacher shows insufficient progress:** Administrator follows procedural steps as given in “Due Process for Teachers” (DBE 360.4a-c).
- **Staff/Employee shows insufficient progress:** Administrator follows procedural steps as given in the “Employer Procedure Manual for Diocesan entities in the Diocese of Davenport.”
- **Parent/Student/Volunteer shows insufficient progress:** The local board requests them to no longer be a part of the school community.

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Policy Adopted: April 8, 1972
Policy Revised: March 3, 1990
Policy Revised: May 17, 2010
Policy Revised: December 2015
Policy Reviewed: July 11, 2019
Policy Promulgated: July 17, 2019
Due Process: Selection and Qualifications of Conciliator

1. The conciliator must be mutually agreed upon by the initiator and respondent. If mutual agreement cannot be reached, the Superintendent of Schools will name the conciliator(s). (In serious matters, the appropriate diocesan office may decide to name a conciliation board made up of one party named by the initiator, one named by the administrator and one named by the diocesan office.)

2. The conciliator(s) must have the skill to facilitate and the ability to be objective.

Tasks of the Conciliator

- Discuss the problem with initiator and respondent individually.
- Meet with the initiator and respondent together, endeavor to facilitate, enable and/or guide them to a peaceful solution of their problem.
- Schedule as many meetings as deemed necessary to progress to a solution.
- Carry out procedures as given for “Complaints against an Administrator” and/or other diocesan policies/regulations.
- Attempt to resolve the matter but has no authority to mandate the participants to adopt a solution.
- Keep a brief summary statement of each meeting, stating the problem and its resolution, or the efforts taken for resolution.
- After the final meeting of conciliation, a brief summary statement is written. The statement, signed by all participants, is given to each participant and a copy provided the Office of Catholic Schools.

Conciliator may, however, decide that any participant is not cooperating in good faith. Evidence of lack of good faith includes, but is not limited to, failure to attend scheduled meeting(s), failure to respond to substantial questions of the conciliator, or failure to suggest any way of accommodating the reasonable interests of the other participants. In the event that, for these or other reasons, the conciliator believes the participant is not cooperating in good faith, he/she shall apprise him/her of this orally, and failing future cooperation, in writing. If there is still no cooperation, the conciliator shall notify the Office of Catholic Schools, which shall endeavor to persuade the participant to cooperate.
STAFF PERSONNEL

Reduction in Staff - Teachers

It shall be the policy of the Diocesan Board of Education that, when the number of contracted teachers desiring to return to school exceeds the number of teaching positions which will be available, it is the responsibility of the local board of education, with the recommendation of the principal, to determine which contracts will be renewed.

If it becomes necessary to notify a teacher that a contract will not be renewed because of a reduction in teaching positions, the board should try to notify the teacher by midnight on March 31.
PERSONNEL

Immoral Conduct as Grounds for Dismissal

Catholic school administrators and teachers and staff (hereafter referred to as “employee”) in Catholic schools hold a unique public position of importance and dignity within the Catholic community. Indeed, appropriate public ceremonies are encouraged which proclaim and celebrate their special role.

While we profess that all members of the Catholic community are sinners in need of redemption, it is also true that immoral behavior by employees carries with it additional gravity because of their special position in the community. Some immoral actions or habits, because of their nature or circumstances, may disqualify a person, at least for a time, from holding an office, role, or function within the Catholic community. This is true for the employee in the Catholic school.

The board and administration do not pass judgment on subjective morality. In assuming their rightful responsibilities, the board and administration consider behavior which, in their judgment, is publicly and manifestly inconsistent with the moral standards of the Catholic Church and the school.

Teaching or living a life-style in contradiction to the teachings of the Church may disqualify one as an employee of our educational system, at least for a time.

When there are actions contrary to this moral policy, the board and administration reserve the option to release or retain/reinstate the employee having considered the following:

1. The public action of the employee was in fact immoral. (See also DBE 365.6c)

2. The openness of the employee to be responsible for both his/her actions and their effects. (See also DBE 365.6a)

3. The openness of the employee to make a commitment to the ideals of the community. (See also DBE 365.6a)

4. The nature and extent of the public scandal. (See also DBE 365.6b)

5. The willingness of the employee to repair any scandal, public or private, insofar as possible. (See also DBE 365.6 a-b)

6. The pastoral circumstances that will affect the welfare of the community and the welfare of the individual, as judged by the board and administration. (See also DBE 365.6b)
PERSONNEL

Scandal/Reparation

I. Scandal
Scandal in the Scriptures does not mean “actions that shock others” but refers to any action or speech, which, because it is immoral in fact or appearance, provides an occasion of sin for others.

Scandal Given
Scandal is given when someone directly advises or encourages another person to sin, thus sharing in his/her sin; either because someone gains by the other’s action or even because someone wants to ruin a person spiritually. Scandal is given indirectly and implicitly when someone, although not actually causing another to sin, gives bad example which can be the occasion of another’s sin.

Scandal Taken
Scandal is taken by the person who is injured in one of three ways.

1. It is taken because a person yields to another’s encouragement or bad example. To avoid this, Christians must:
   a. Avoid any bad act;
   b. Avoid even those acts that have the appearance of evil, unless there is an urgent and serious reason for them;
   c. In the latter case, do what they can to prevent the scandal.

2. It is taken, but not given, when a person’s action is good and the fault is in the other, who wrongly misjudges the person. Christians should never omit doing their duty or obeying the law because of this kind of scandal, but sometimes they should avoid causing scandal by omitting actions which are morally indifferent but which shock others.

3. It scandalizes the ignorant, immature, or morally weak. To avoid this, Christians must do what is necessary for people’s salvation, avoiding that which violates the natural law or the common good.

II. Reparation
Because scandal given is an injury to the neighbor, if Christians cause it, they are obliged to repair it as best they can by giving good example and even by publicly admitting their bad influence and attempting to bring back into the right path those whom they have led astray.

Regulation Adopted: February 2, 1980
Regulation Revised: December 6, 1986
Regulation Revised: August 15, 2006
Regulation Revised: May 17, 2010
Regulation Reviewed: December 2015
Regulation Revised: July 11, 2019
Regulation Promulgated: July 17, 2019
Policy 370.2

Accreditation of Catholic Schools

All schools of the Diocese of Davenport shall maintain accreditation with the Department of Education of the State of Iowa. If the continued accreditation of a school is in jeopardy, the Superintendent of Schools will work with the local/regional Board of Education to assist in future planning.

Policy Adopted: September 13, 1977
Policy Revised: June 5, 2002
Policy Revised: May 17, 2010
Policy Reviewed: December 2015
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