REVIEW OF ARCHDIOCESAN PARISH AND SCHOOL POLICIES AND PROCEDURES

FOR

THREE-YEAR ON-SITE CONSULTATION

AND

ANNUAL SELF-REVIEW

Parish: __________________________

Pastor: __________________________

Principal: _________________________

Date: ____________________________

Review Group: ___________________
Dear Pastors, Parish Administrators and Principals:

We now have only one questionnaire to guide you through both our three-year on-site consultations and our annual self-review. Please complete it carefully and completely – we think you will find it instructive and worthwhile.

- **If your parish is scheduled for an on-site consultation this year**, please have all requested documents ready for review. Make sure that all persons with the information necessary to discuss the areas covered by this form (e.g., principals, parish administrators, etc., in addition to the pastor) will be available during the consultation meeting.

- **If your parish is doing its annual self-review** instead of an on-site consultation, review the requested documents for yourself. Wherever the form requests documents, make sure that they exist, that they are being properly used and that they are filed/posted, etc. as indicated and in such a way that you can find them when you need them.

Please do not hesitate to contact any Archdiocesan office or department if you have any questions. Thank you for your thoughtful participation in this important and beneficial program!

*******

A SPECIAL NOTE FOR PASTORS AND PRINCIPALS:

Revised 1/16/2013
It is vital that the information given in response to these questions be prompt, complete, accurate and up-to-date. When information is not given or policies not fully followed, the parish and the whole Archdiocese can be legally, and often morally, vulnerable in ways that our insurance policies may or may not cover. Therefore, please know that if this questionnaire is not promptly completed and returned, or if incomplete or inaccurate answers are given either in writing or at the time of our personal consultations, and legal liability results, the Archdiocese reserves the right to hold the Parish solely responsible for any liabilities that result, including the obligation to pay any resulting legal fees, judgments or settlements. **It is the duty of the Pastor to ensure that all information given here is complete and accurate, and reflects the actual practices in the Parish and/or School.**

By signing here, we affirm that we have carefully checked all of the information here and that this information reflects the actual current practices at our Parish. We acknowledge that the Archdiocese may hold the Parish and/or School solely financially liable for any costs, expenses, judgments, settlements or legal fees arising from the failure to give complete, accurate and timely responses to all of the questions in this questionnaire.

Dated: ________________________

______________________________
Pastor

Dated: ________________________

______________________________
Chair of the Parish Finance Council

Dated: ________________________

______________________________
Principal
OUTLINE OF TOPICS

PERSONNEL (PARISH AND SCHOOL)

I. Parish/School Personnel Handbooks

II. Personnel Classifications and Pay
   A. Exempt and Non-Exempt Employees
      i. Overtime and Breaks
      ii. Time Records
   B. Multi-Location Employees
   C. Leaves of Absence

III. New Hires
   A. Application Form
   B. References
   C. Vetting by HR
   D. Immigration and Right to Work Forms
   E. New-Hire Information Forms

IV. Terminations
   A. Review and Clearance

V. Independent Contractors
   A. Criteria Checklist
   B. Reporting Form 1099

SEXUAL ABUSE PROTECTION/SCREENING/TRAINING

I. Screening/Background Evaluations of Employees
   A. Application Forms
   B. Background Evaluations/Fingerprinting of Employees
   C. Clergy

II. Screening/Background Evaluations of Volunteers
   A. Application Forms
   B. Background Evaluations/Fingerprinting of Volunteers

III. Training of Employees and Volunteers
   A. Abuse and Harassment Policy Booklet and Addendum
   B. Standards of Behavior for Those Working with Young People
   C. On-Line Training Course
   D. Workplace Culture
   E. Youth Training and Safe-Environment Programs

IV. Response to Reports of Suspected Child Abuse
   A. Personnel Issues
   B. Outreach Procedures

SEXUAL HARASSMENT

Revised 1/16/2013
I. Youth/Adolescent Harassment Policy
   A. Posting
   B. Providing to Staff
   C. Summary for parents/guardians

II. Investigation of Complaints
   A. Advising Potential Victims
   B. Complaint Procedure
   C. Investigation Procedure

III. Workplace Policy Posting and Dissemination

IV. Semi-Annual On-Line Supervisor's Training

V. Investigation and Remediation

ELDER ABUSE REPORTING

I. Mandated Reporters of Elder Abuse

II. Abuse

III. Reporting Procedures

GENERAL PARISH OPERATIONS

I. Consultative Parish and School Boards
   A. Parish/Pastoral Councils
   B. Other Councils/Committees
   C. Council Operations

II. Contracts
   A. Non-Employment Contracts
   B. Employment Contracts
   C. Debt Contracts

III. Political Campaigning/Lobbying Activities
   A. Endorsements/Political Speech
   B. Lobbying

IV. Internet and Email/Electronic Fundraising
   A. Internet and Technology Policy
   B. Email Accounts and Access
   C. Internet and Email Usage
   D. Parish and School Websites
   E. Electronic and Internet Fundraising/E-Commerce

Revised 1/16/2013
V. Copyrighted Material  
   A. Use of Copyrighted Material  
   B. Reproduction of Copyrighted Material  
   C. Exhibition of Copyrighted Materials  
   D. Live-Streaming and Webcasting  

VI. Endowments and Fundraising  
   A. Endowments and Restricted Gifts  
   B. Fundraising Activities and Capital Campaigns  

VII. Child-Care Programs  
    A. Licensing  
    B. Parish-Run Programs  
    C. Outside Programs  
    D. Family Day-Care Homes  

VIII. Legal Services  
      A. Routine Services  
      B. Outside Legal Representation  
      C. Estates, Trusts and Wills  
      D. Other Legal Matters  

IX. Union Labor  

BUILDINGS AND GROUNDS  

I. Outside Use of Parish/School Property  
   A. Use  
   B. Status of User  
   C. Lease  
   D. Occasional Use Agreement  
   E. Film-making/Political Use  

II. Building Construction/Renovation and Contracting  

III. Gifts of Real Property  

IV. Filmmaking on Parish/School Grounds  

SCHOOL ADMINISTRATION  

I. Student/Parent Records, Consents, Agreements  
   A. Universal Consent Form  
   B. Student Medications  

II. School Parent/Student Handbooks  

III. Tuition Agreements  
    A. Standard Agreement  
    B. Incorporated Policies  

Revised 1/16/2013
C. Delinquent Accounts
D. Need-Based Reductions and Scholarships
E. Tuition Rates for Participating Families

SCHOOL PERSONNEL

I. Personnel Handbooks and Time Records
II. Administrative Handbook
III. Independent Contractors/Curriculum Providers

SCHOOL EMPLOYEE AND STUDENT SEXUAL HARASSMENT POLICY

I. Written Policy
II. Complaint Procedure

SCHOOL TRANSPORTATION POLICY

I. Dissemination
II. School-provided Transportation
III. Individual Transportation

SCHOOL FUNDRAISING

I. Fundraising Activities
II. Use of Restricted Funds/Endowments

Revised 1/16/2013
PERSONNEL

I. Parish/School Personnel Handbooks

A. Have all employees received a copy of the appropriate (parish or school) Employee Handbook? _____ Yes _____ No.

1. If not, please explain:

[PRACTICE TIP: The Employment Handbook was developed by your legal and human resources offices at the request of many pastors to standardize, clarify and formalize many important aspects of the employment relationship and to provide a handy “one-stop shopping” reference for employees. It takes the place of nearly all individual employment contracts, which we no longer offer except for teachers and principals or in certain limited situations through the Legal Office. It is crucial that all employees receive it and sign all of the acknowledgments it contains.]

B. Have all employees signed all of the following, contained in the Employee Handbook, with the signatures on file in your office?

1. Acknowledgment of receipt. _____ Yes _____ No

2. Arbitration agreement _____ Yes _____ No

3. Archdiocesan Internet and Web Site policy acknowledgment _____ Yes _____ No

4. Archdiocesan Child Abuse and Harassment Policy (original signatures sent to Archdiocesan Human Resources Department, with copy in your files). _____ Yes _____ No

5. Addendum to Child Abuse and Harassment Policy. _____ Yes _____ No.

[PLEASE HAVE SIGNED ACKNOWLEDGMENTS READY FOR REVIEW]

C. Has the parish made any changes/modifications to the Archdiocesan Parish Employee Handbook? _____ Yes _____ No.

1. If “yes,” please list each modification:

2. If “yes,” has each change been recorded in writing, signed by the pastor and the Archbishop, Vicar General, or Vicar for Administration? _____ Yes _____ No.

3. If “yes,” has a written copy of each change been provided to every employee? _____ Yes _____ No.

Revised 1/16/2013 8
D. Has a written holiday/vacation policy* as an addendum to the Parish Employee Handbook been given to employees, countersigned by the Vicar General? ____ Yes ____ No.

[*PRACTICE TIP: Vacation and holiday schedules vary from location to location, and so could not be standardized in the Parish Employment Handbook. But at the same time, because of this very diversity, they can be a subject of misunderstanding and even resentment among staff. In addition, there are certain legalities that must be observed in this area. For this reason, each location should prepare a holiday/vacation policy, approved by the Vicar for Administration as an addendum to the personnel handbook, posted, and provided to each employee.]

E. Are all postings required by law (as advised by the Archdiocesan Human Resources Department) placed in a conspicuous central location where they will likely be seen by all employees regularly? ____ Yes ____ No.

[PLEASE BE PREPARED TO SHOW POSTING LOCATION]

II. Personnel classifications and pay

A. Exempt or Non-Exempt: Have all positions of all personnel been classified as either "exempt" or "non-exempt"*? ____ Yes ____ No.

[*PRACTICE TIP: SEVERE LEGAL AND FINANCIAL PENALTIES CAN APPLY FOR MISCLASSIFYING AN EMPLOYEE AS "EXEMPT!" "Exempt" means exempt from wage and hour laws (e.g., being paid extra for overtime, meal breaks, etc). Employment law strictly limits those employees who can be considered "exempt" from these protections. Only those employees who are clearly in professional or independent policy-making jobs and paid by fixed salary greater than a legally-prescribed minimum are really exempt.

 Unless they are clearly exempt, all employees must be presumed to be "non-exempt" and to fall within those laws. Therefore, virtually all employees except for parish business managers, principals, teachers, directors of religious education, pastoral associates and the like are "non-exempt." For specific guidance about job classifications, see the "Parish Pay Guidelines" circulated annually by the Department of Human Resources or contact the HR or Legal Department for guidance.]

1. Exempt Employees: list the name and position of any employees you consider to be "exempt" from wage and hour protections:

a. Do all “exempt” employees record time-sheets recording days taken for sick-leave, vacation, holidays, bereavement, personal days and jury duty? ____ Yes ____ No.
2. Non-Exempt Employees: Are all persons not classified as “exempt” paid appropriate overtime pay for every hour worked more than 8 in one day or more than 40 in one week? _____ Yes _____ No.

   a. If “no,” please explain:

   ________________________________________________________________

3. Are all “non-exempt” personnel required to complete and sign time-cards for each pay period, semi-monthly? _____ Yes _____ No.

   [PLEASE HAVE SAMPLE TIME CARDS AVAILABLE FOR REVIEW*]

   [*PRACTICE TIP: PROPER EMPLOYEE TIME RECORDS ARE CRUCIAL. THEY ARE LEGALLY REQUIRED, AND NOT OPTIONAL, EVEN IF YOUR EMPLOYEE IS BEING PAID A REGULAR SALARY! They not only ensure that employees are receiving all the pay to which they are legally entitled, they are also an essential check to protect the parish against errors and false claims for back pay, fines and penalties for failure to properly pay an employee. They are also necessary to properly calculate accrued and used vacation and sick leave.

   If you are not receiving proper time records from all of your employees you are opening yourself to large claims against the parish.]

   a. Do time cards for non-exempt employees always include dates and the number of hours worked each day, along with any vacation, sick-leave, personal leave, overtime, etc, taken? _____ Yes _____ No.

   4. Are all “non-exempt” personnel required to take breaks and lunch, and are all breaks and lunch (at least 30 minutes during any shift of at least six hours) reflected on the time card? _____ Yes _____ No.

   5. Are all employees paid the legally required minimum wage, or more, for all hours worked? _____ Yes _____ No.

   6. Are all non-exempt employees paid for all hours worked*? _____ Yes _____ No.

   [*PRACTICE TIP: Often, parish personnel – out of the goodness of their hearts or because they hesitate to say no to “the boss” – offer or are asked to “volunteer” either additional hours at their job or for different non-job duties. California law states, however, that all non-exempt employees must be paid (at or above the minimum wage plus applicable overtime rates) for all hours worked, so if an employee gets paid for any work, he or she must be paid for all work. The only exception would be for church participation ordinarily done by non-paid personnel which is completely unrelated to the employee’s job duties]

B. Multi-Location Employees: Do any of your employees work at more than one Archdiocesan location? _____ Yes _____ No.
1. If “yes,” please identify each such employee, and the other location(s) where each works:

_________________________________________________________________________________

2. Are all employees who work at multiple locations advised that they are not entitled to work more than 8 hours in any day or 40 hours in any week, combined for all locations, without the express permission of supervisors at all locations? ______ Yes ______ No.

3. Are all employees who work at multiple locations advised that it is their responsibility to advise their supervisors at every location that they are also employed at another location? ______ Yes ______ No.

[*PRACTICE TIP: From a legal point of view, the Archdiocese is only one employer. Therefore, employees who work at more than one location may qualify for overtime, benefits, etc. even if they would not qualify at any one location. For that reason, it is crucial that the pastors or other supervisors at each location know when an employee works at more than one place, so that proper provisions can be made for that employee.]

C. Leaves of Absence: Are requested leaves of absence granted or denied only after consultation with the Archdiocesan Human Resources Office, to ensure compliance with FMLA and other state and federal laws? ______ Yes ______ No.

1. Please explain any “no” answers:

_________________________________________________________________________________

III. New Hires

A. Do all new applicants for employment fill out the Archdiocesan Application form before hiring? ______ Yes ______ No.

B. Have references for all applicants for employment been reviewed thoroughly? ______ Yes ______ No

C. Are prospective new hires vetted by Human Resources before employment, concerning prior Archdiocesan employment? ______ Yes ______ No

D. Immigration, IRS and Right to Work

1. Is an IRS form I-9 certifying right to work in the United States signed by, and kept for, each employee at the time of hire? ______ Yes ______ No.

2. Is each employee at the time of hire required to document identity and right to work (e.g., social security number, work visa)? ______ Yes ______ No.

3. Is each employee at the time of hire required to complete and return an IRS form W-4? ______ Yes ______ No.

Revised 1/16/2013
4. Please list all employees who have not verified their right to work in the United States, and give the reason:

E. New-Hire Information Notification Form

1. Are all new hires given the state-required “Employee Notification Form”* on the approved Archdiocesan form at the time of hire? ___ Yes ___ No.

[*PRACTICE TIP: The state authorities now REQUIRE a new-hire “employee notification form” to be given to EVERY new employee at the time of hire. It is essential that you give the approved form to every new employee without exception. In addition, whenever any of the information given on the form changes, you must give a new form to each employee. (The only exception to that is if the change of information concerns only the rate of pay, and the rate of pay is stated on the employee’s paycheck, then no new form need be given.)]

IV. Terminations

A. When it is necessary to terminate or not to continue any employee, are the reasons and circumstances discussed, and clearance received in advance from, the Archdiocesan Human Resources Department (or Department of Catholic Schools, in the case of school personnel) in consultation with the Legal Office* ___ Yes ___ No.

[*PRACTICE TIP: Insurance coverage for “wrongful termination” claims is very limited and some employees (often the ones who need to be terminated) can be increasingly savvy about creating some sort of discrimination or retaliation claim out of nothing. So, as a condition for coverage under the Archdiocesan self-insurance plan, all terminations or non-renewals of employment must be “signed off” in advance by the Archdiocesan Human Resources office in consultation with the Legal Office. Failure to consult in advance can result in lack of insurance coverage for the parish – and any resulting liability, settlement or attorney’s fees will be the responsibility of the parish.]

1. If “no,” please explain:

2. Do you anticipate any reprimands, terminations or other job disciplinary actions within the next year? ___ Yes ___ No.

   a. If “yes,” have you developed written documentation* in advance, specifying the problem, identifying corrective action by the employee and notifying the employee of the nature of potential discipline? ___ Yes ___ No.

   b. Has the documentation been shared with the employee and maintained in the employee’s personnel file? ___ Yes ___ No.

Revised 1/16/2013 12
B. Please explain any “no” answers:

[*PRACTICE TIP: Adequate documentation of employment issues – including areas and standards of needed improvement, ways in which the employer will work with the employee to achieve the needed improvement, and a warning of the consequences if no improvement is shown – is by far the best way both to make a poor employee more productive and to protect yourself from future misunderstandings and even legal claims. To be effective, as far as possible documentation should be 1) in writing; 2) contemporaneous with the observed failure(s); 3) given promptly to the employee (not later!); 4) placed in the employee’s file. It should 1) state clearly what the problem is; 2) state as specifically as possible what improvement is needed, how it should be demonstrated and what (reasonable) time frame will be allowed for the improvement to be achieved; and 3) state what the consequences of failure to improve will be (e.g., “up to and including termination” if the situation calls for it.)

V. Independent Contractors*

[*PRACTICE TIP: The law concerning who is an “employee” and who is an “independent contractor” is both very severe and somewhat vague. Recent audits by the IRS indicate that more than 90% of the persons listed as “independent contractors” are in fact employees. Failure to treat employees as employees (e.g., by withholding taxes, giving benefits available to other employees, etc.) can lead to severe fines, penalties and payouts of back benefits, etc. In addition, State Law imposes SUBSTANTIAL MONETARY CIVIL PENALTIES of up to $25,000 per violation for misclassifying an employee as a contractor.

While the criteria here provide some guidance, the rule of thumb is that all persons on your payroll should be considered “employees” unless it is absolutely clear that they are contractors. For more details, see the Archdiocesan Website Index to Policies and Procedures]

A. Do any persons regularly or periodically (i.e. non-“one time” workers such as plumbers) receive money in exchange for work, but who are not on the regular Archdiocesan payroll (i.e., for whom there are no taxes paid or withheld)?
   ____ Yes ____ No.

1. If “yes,” for each such worker:

   a. Is the work an integral and regular part of the parish/school operation?
      ____ Yes ____ No.

   b. Is the work on-going in nature (e.g., a regular or periodic maintenance worker) rather than brief, focused and unique (e.g. a plumber called to unclog a sink)? ____ Yes ____ No.

   c. Is the bulk of the work unskilled and unspecialized? ____ Yes ____ No.

   d. Does the worker work only for the parish/school? ____ Yes ____ No.

Revised 1/16/2013 13
e. Does each such worker do work significantly the same as other Archdiocesan employees? _____ Yes _____ No.

f. Does the worker work most of his/her time at the parish/school? _____ Yes _____ No.

g. Does the worker work only rarely in his or her own office or with his or her own materials? _____ Yes _____ No.

h. Does the parish/school retain the right to control the work of the worker (whether or not that right is exercised)? _____ Yes _____ No.

i. Does the parish/school retain the right to establish the hours of work for the worker? _____ Yes _____ No.

If the answer to any of these questions is "yes" that person is probably an employee, not an independent contractor. If the answer to all of these questions is "no," the person may qualify as an independent contractor.

2. If the answer to all of the above questions is "no," for each such worker, do you have most or all of the following evidence:

a. Separate business license
b. A business card
c. A separate telephone listing (e.g., yellow-pages)
d. Separate liability insurance
e. Evidence of other clients/customers
f. Non-parish employees/associates
g. IRS Form 938P

_____ Yes _____ No

3. Please describe all such independent contractors, the work being done and the amount of time being spent on parish/school business:

4. Have all workers for which the answer to any of the above questions is "no," signed the standard Archdiocesan form of Independent Contractor Agreement? _____ Yes _____ No.

If "no," please identify and explain:
a. Have all such independent contractors provided proof of insurance and endorsement in favor of the Archdiocese and parish/school? _____ Yes _____ No. If “no,” please explain:

__________________________

[Please attach copies of the Independent Contractor Agreements along with insurance certificates/endorsements.]

B. Is an IRS form 1099 issued to all Independent Contractors to whom you have paid $600 or more (whether by check, cash or other means) in a calendar year? _____ Yes _____ No.

1. Please have copies of forms 1099 available for review and explain all “no” answers.

__________________________

**CHILD SEXUAL-ABUSE
PROTECTION/SCREENING/TRAINING**

[*PRACTICE TIP: In compliance with the Charter for the Protection of Children and Young People adopted by the United States Conference of Catholic Bishops, as required by the law and, above all, consistent with our commitment to provide and maintain the ultimate safety for children, the Archdiocese of San Francisco has established a comprehensive mandatory system of pre-hiring screening and ongoing evaluation and training for volunteers and employees at all locations, parishes and schools. *(This is NOT the same topic as sexual harassment, even though both are addressed in the same policy booklet.)*]

If a reasonable suspicion of abuse arises, a firm policy *requiring* prompt and effective identification and reporting has also been adopted.

*For reference, consult the “Safe Environment Guidelines,” prepared by and available from the Archdiocesan Office of Child and Youth Protection, which includes reference to all of the relevant documents. For information about the screening and training appropriate for specific positions, see also the Office of Child and Youth Protection’s “Archdiocesan Position Categories and Background Evaluation Requirements.”*

For convenience, this system may be summed up briefly as follows:

I. Screening, Evaluation and Hiring.

A) *All prospective employees and all prospective regular volunteers* (regardless of whether they expect to have contact with children) should complete the appropriate Archdiocesan application form BEFORE HIRING OR COMMENCING SERVICE. REFERENCES FOR ALL APPLICANTS SHOULD BE CHECKED.

B) *All employees who will have ongoing, unsupervised contact with minors* (including all Clergy and all school employees) will be asked to undergo background evaluations based on electronic fingerprinting ("LiveScan" or equivalent service). These

Revised 1/16/2013 15
evaluations must be done, results reviewed, and clearance received BEFORE HIRING OR COMMENCING SERVICE.

C) **Volunteers in certain supervisory categories involving regular contact with minors** (e.g., head coaches or youth choir directors) will be asked to undergo Livescan fingerprint-based evaluation, BEFORE COMMENCING SERVICE.

D) **All parish employees** even if they will not have regular contact with minors, and **parish volunteers who are not in the stated supervisory categories but will nevertheless have ongoing contact** with minors, will be required to undergo a computer-based name-based background evaluation (“Employment Screening Resources (ESR)” check, or other equivalent service) BEFORE COMMENCING SERVICE.

<table>
<thead>
<tr>
<th>PRE-HIRING SCREENING</th>
<th>Application Form</th>
<th>Computerized Background Check</th>
<th>Live-Scan (Fingerprinting)</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYEES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employees without regular contact</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Employees with Regular Contact (includes <em>all</em> clergy and <em>all</em> school employees)</td>
<td></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>VOLUNTEERS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular Volunteers without regular contact</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-Supervisory Volunteers with regular contact</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Volunteers in Stated Supervisory Categories</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Occasional volunteers</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

E.) All **independent contractors** who will have ongoing, unsupervised contact with minors must, before beginning work, sign the Archdiocesan form of contract (or another contract approved by the Archdiocesan legal office) promising that all persons who will have

Revised 1/16/2013 16
contact with minors under the contract have been screened as required by law and are legally qualified to have contact with minors.

II. Training

A) All employees and regular volunteers (regardless of duties and regardless of contact with minors) will receive, read and acknowledge the Archdiocesan booklet, “Policies and Procedures Regarding Child Abuse and Harassment” including its Addendum. (Employees will receive this as part of their Personnel Handbook, regular volunteers should receive it as a separate document, but both employees and regular volunteers must sign the acknowledgment that they have received and read these documents. NB: This “Policies and Procedures” booklet contains a section on preventing and reporting the sexual abuse of minors and also a discussion of sexual “harassment,” which is a form of gender discrimination. “Harassment” is a different topic from “abuse”; the fact that both topics are treated in this booklet does not mean that they should be confused with each other. Read the booklet carefully.)

B) All employees (regardless of contact with minors), as well as regular volunteers who will have ongoing contact with minors, should receive a copy of the Archbishop’s Letter on “Standards of Conduct for Those Working With Children and Young People.” Each location should also post this letter in a prominent location.

C) All paid personnel, all volunteers who have regular contact with minors (including all school volunteers), all health-care practitioners and all clergy (including religious sisters, brothers and deacons) will take the on-line training course, which includes instruction on how to identify abuse and when and how to report suspicion of abuse to the authorities (including information on legally “mandatory reporters”).

D) All minor volunteers will receive a copy of the ADSF standards of conduct for youth volunteers, and will be supervised by an appropriately screened and approved adult at all times.

SEE SUMMARY TABLE ON NEXT PAGE
<table>
<thead>
<tr>
<th>POST-HIRING TRAINING</th>
<th>Policy Booklet (Read and Sign-Off)</th>
<th>Standards of Conduct Guidelines (Received)</th>
<th>On-Line Training Course</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EMPLOYEES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employees (All)</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Employees with regular contact</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><strong>VOLUNTEERS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular Volunteers (All)</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Regular Volunteers with regular contact</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Occasional Volunteers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Volunteers (all)</td>
<td>Receive “Standards of Conduct” for youth (Office of Youth Protection) and supervised by trained adult</td>
<td>Receive “Standards of Conduct” for youth (Office of Youth Protection) and supervised by trained adult</td>
<td>Receive “Standards of Conduct” for youth (Office of Youth Protection) and supervised by trained adult</td>
</tr>
<tr>
<td><strong>OTHERS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clergy</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Health-Care Professionals</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

E) All children in our schools and religious education programs will receive the age-appropriate safety program (“Talking about Touching” for preschool through third grade; “Kid Safety” for fourth through eighth grades; “Teen Safety” for ninth through twelfth grades), annually.
F) Each location will prominently post the telephone number(s) to be called in the event that an incident of suspected child abuse must be reported, and keep a supply of the appropriate official report form. These have been printed in Catholic San Francisco and may be found in the Parish/School Guidelines.

G) Each parish will regularly emphasize to all employees that all reasonable suspicions of child sexual abuse should be immediately reported to the authorities and then to the Archdiocesan Victim Assistance Coordinator.

III. Reporting of child abuse:

A) Clergy and all child-care custodians – anyone who has children in his or her care – are required by law to report to the civil authorities any reasonable suspicion of child abuse that comes to them through their job duties. Archdiocesan policy goes further, and requires such a report from anyone working or volunteering for the Archdiocese, regardless of the source of the information.

1) The report is to be made immediately by telephone, followed by a written report within 36 hours.

2) The report does not need certainty and is not a declaration of guilt, only of a “reasonable suspicion.”

3) If there is a danger of immediate harm to a child, or the suspected abuse is happening outside the child’s home, the report should be made to the police. Otherwise, it should be made to the county Child Protective Services.

4) The duty to report pertains to each individual. If more than one person has a suspicion (e.g., the pastor and principal), only one of them need make a report, but both have a duty to ensure that the report is made. NOTE: IT IS NOT SUFFICIENT TO REPORT “UP THE LADDER.”

5) The law provides immunity from lawsuits for anyone making such a report.

6) Each location should have the telephone numbers for making such a report readily available. These numbers can be found in the Safe Environment Guidelines, in the brochure on reporting and is printed each year in the Catholic San Francisco. Write the numbers down and keep them handy.

7) Any suspicion should be brought to the attention of the Archdiocesan Office of Child and Youth Protection immediately after the proper report to authorities has been made.

The following questions refer to the general policy outlined above:

Revised 1/16/2013 19
I. Screening/Background Evaluations of Employees

A. Application form: Are ALL applicants being considered for paid positions required to complete and sign the appropriate Archdiocesan employment application form (which includes permission to check backgrounds) before hiring? _____ Yes _____ No.

1. If “no,” please explain and identify all current employees or volunteers for whom no application form has been received:

2. Do you keep the application form on file on-site in a locked location? _____ Yes _____ No.

B. Background Evaluations for Employees: Are all applicants who are being considered for positions as paid employees who will have ongoing, unsupervised contact with children or youth (including all school employees) asked to submit to background evaluation, including fingerprinting, through the Archdiocesan Human Resources Office as a pre-condition for hiring with the results received before hiring? _____ Yes _____ No.

1. If “no,” please explain and identify all current employees or regularly volunteers who have ongoing, unsupervised contact with children or youth who have not been fingerprinted:

2. Are all applications for these jobs that reveal a conviction or pending prosecution for a serious or violent felony (as defined, consult with the Legal Office or Human Resources for guidance) immediately rejected? _____ Yes _____ No.

3. Are all applications that reveal a conviction or pending prosecution for a crime other than a serious or violent felony subjected to careful review, including the advice of the Archdiocesan Legal Office where appropriate, before hiring? _____ Yes _____ No.

C. Clergy: Have all Pastors, Parochial Vicars, Deacons or other clergy in residence (whether assigned in a school or non-school facility) been fingerprinted through the “Livescan” procedure, with the results reported to the Vicar for Clergy? _____ Yes _____ No.

1. If “no,” please identify all who have not yet been screened:

II. Screening/Background Evaluations of Volunteers:

A. Do all prospective regular volunteers whose duties will bring them into ongoing contact with minors complete the volunteer application form? _____ Yes _____ No.

B. Are all prospective volunteers in the following categories required to submit to background checks, including fingerprinting, through either the Department of

Revised 1/16/2013
Catholic Schools (schools) or Archdiocesan Human Resources Office (non-school) before beginning their service?*

1. Directors/coordinators of Religious Education
2. Directors/ Coordinators of Youth Ministry (Programs)
3. Directors of Children’s Choir
4. Regularly assigned School Yard Duty Workers and Teachers Aides
5. Directors of Youth Athletics/Head Coaches

____ Yes _____ No

[*PRACTICE TIP: THESE CATEGORIES ARE SUGGESTIVE AND PROVIDED FOR YOUR GUIDANCE – CONSULT WITH THE ARCHDIOCESAN OFFICE OF CHILD AND YOUTH PROTECTION FOR UPDATED INFORMATION ON THE PRECISE CATEGORIES OF VOLUNTEERS WHO MUST BE FINGERPRINTED.]

C. If “no,” please explain and identify all volunteers in these categories who have not been screened:

D. Are all other volunteers (i.e., not in those categories listed above) who will have regular contact with minors, required to submit to background screening (e.g., Choicepoint) before beginning their service? _____ Yes _____ No.

E. If “no,” please explain and identify all volunteers in these categories who have not been screened:

III. Training of Employees and Volunteers

A. Child Abuse and Harassment – Policy Dissemination, Receipt and Acknowledgment

1. Have all personnel (paid, clergy and regular volunteers), been given a copy of, and asked to read, the “Archdiocesan Policies and Procedures Regarding Child Abuse and Harassment” including the Addendum (in the case of employees, this is included in the Parish Employee Handbook)? _____ Yes _____ No.

   a. If “no,” please explain:

2. Have all paid personnel and clergy signed the Acknowledgment of the Policy and the Acknowledgement of the Addendum, with the original sent to the Archdiocese Human Resources Department and a copy kept in your files? _____ Yes _____ No.
a. If “no,” please identify, reason not signed and date on which acknowledgments for all will be signed and forwarded:

3. Have all regular volunteers* signed the Acknowledgment of the Policy and the Acknowledgement of the Addendum, with the original kept in your files? ____ Yes ____ No.

[*PRACTICE TIP: Who is a “regular” volunteer? The phrase includes some flexibility because it is often not possible to classify and categorize definitively each and every function that every church volunteer may perform. A “regular” volunteer is intended to include volunteers who have regular or periodic ongoing duties, or an ongoing defined “job” at the parish. It may not include some volunteers who may show up on a one-time or ad-hoc basis. But when it comes to training (including the minimal burden of reviewing our abuse policy), it is best to ERR ON THE SIDE OF MORE TRAINING RATHER THAN LESS. If a volunteer’s function may be considered “regular,” best practice is to err on the side of providing the policy booklet and getting the sign-off, rather than not.]

a. If “no,” please identify all regular volunteers whose acknowledgments have not been signed, and date on which acknowledgments will be signed:

4. Does the parish maintain a prominent display of materials/brochures provided by the Office of Child and Youth Protection? ____ Yes ____ No.

B. Standards of Ministerial Behavior and Appropriate Boundaries

1. Is the Archdiocesan statement of the “Standards of Conduct for Those Working with Children and Young People” provided to clergy, all employees, and all volunteers who have regular contact with minors, and posted in a prominent location? ____ Yes ____ No.

   a. If not, please explain:

2. Is the Archdiocesan policy provided in languages other than English when the diversity of the parish/school is such that other languages serve as the primary language for people within it? ____ Yes ____ No.

3. Is the Archdiocese’s “Standards of Conduct” for youth volunteers provided to all High School and Junior High School students volunteering or working with minors? ____ Yes ____ No.

Revised 1/16/2013
C. On-Line Training Course:

1. Have all paid personnel, volunteers who have regular contact with children, as well as all health-care practitioners and all clergy (including religious sisters and deacons), taken the Archdiocesan on-line “Recognizing, Reporting and Preventing Child Abuse” training program? ____ Yes ____ No.
   
   a. If “no,” please explain:

   b. If “no,” please identify here all such persons who have not taken the training program and indicate the date by which the training will be completed:

   c. If “no” please contact the Archdiocesan Office of Child and Youth Protection immediately to make arrangements for providing the training.

2. Are copies of the certificate of completion kept on file? ____ Yes ____ No

[PLEASE HAVE COPIES OF CERTIFICATES READY FOR REVIEW]

D. Workplace Culture:

1. Are all personnel (paid and regular volunteers) regularly reminded to report any suspected child abuse? ____ Yes ____ No.

2. Have all “mandated reporters”* also been instructed as to the legal obligation to immediately report any reasonable suspicion of child abuse gained within his/her professional capacity or within the scope of his/her employment, to a county child-protective agency or local police department and of the required contents of the report? ____ Yes ____ No.

3. Are all clergy, paid personnel, and volunteers advised that Archdiocesan Policy requires reporting of all suspected child sexual abuse regardless of any legal obligation to make such reports? ____ Yes ____ No.

[* PRACTICE TIP: By law, a “Mandated Reporter” is any “child-care custodian, health practitioner or employee of a child-protective agency” as well as all clergy members, except where a clergy member has gained knowledge of the abuse through sacramental confession or where secrecy is canonically required. But remember, Archdiocesan policy is NOT so limited: It requires reports of suspicions of sexual abuse regardless of whether the reporter is a “mandated reporter” and regardless of the source of the information.]

   a. If “no” to any of the above, please explain, and detail plans to instruct personnel:
6. Are all personnel, including employees and regular volunteers, instructed that reports of suspected child abuse must be made immediately by telephone and followed up by a written report within 36 hours?  
____ Yes ____ No

7. Are the names and telephone numbers of the local county child-protective agency or local police department and a supply of DOJ forms for reporting kept readily on hand for use by those who make reports?  ____ Yes ____ No.

   a. Please explain any "no" answers:

   ______________________________________________________

E. Youth Training and Safe-Environment Programs

1. Has the Archdiocesan "Safe Environment Program" as provided through the Office of Child and Youth Protected been instituted for all children, youth and parents, either online or in the classroom?  ____ Yes ____ No.

   a. ____ "Talking About Touching" for preschool through 3rd grade
   b. ____ "Kid Safety" for 4th through 8th grades
   c. ____ "Teen Safety for 9th through 12th grades

2. If all phases of the safe environment programs have not been instituted, please explain why and indicate dates on which the programs will be in place:

   ______________________________________________________

IV. Response to Reports of Suspected Child Abuse

A. Personnel Issues:

1. In the event of a report of a suspicion of child abuse by an employee/volunteer, is a procedure in place to ensure all the following?  ____ Yes ____ No
   
   -- FIRST that an immediate report to the appropriate child-protective agency by the person who suspects?

   -- That the person suspected then be placed immediately on administrative leave pending investigation by the appropriate Chancery personnel?

   -- That a report is then made to the office of the Victim's Assistance Coordinator immediately following the report to the civil authorities?

   -- That all personnel are advised to cooperate with any investigation by the investigator acting on behalf of the Archdiocesan Independent Review Board?
-- That all questions from third parties other than from the civil authorities or the Archdiocesan fact-finders are referred to the Archdiocesan Legal Office for response?

Please explain all “no” answers, including the nature of any event or suspicion and the reason no report was made or the policy not followed:

B. Outreach Issues:

1. After notifying the appropriate Archdiocesan personnel, do you have a procedure in place to ensure all the following? _____ Yes _____ No

   -- immediately communicate your sincere concern to the actual or alleged victims and their families while assuring them that the authorities have been contacted and are investigating

   -- prominently feature the telephone numbers of the Archdiocesan Victim’s Assistance Coordinator (415-614-5506) in the parish bulletin on a regular basis, and to provide those numbers to any persons who make a report of sexual abuse to you

   -- Place notices/fliers regarding workshops, retreats, etc. for sexual abuse survivors in your bulletin

   -- Make the “Short Summary of the Policies and Procedures of the Archdiocese of San Francisco” concerning sexual misconduct readily available (in Spanish and English) and put out for distribution on a regular basis

   -- Has this parish/facility used the services of the Archdiocesan Victim’s Assistance Coordinator whenever an allegation of sexual abuse has been made against clergy or church personnel?

Please explain any “no” answers:

SEXUAL HARASSMENT*

[*PRACTICE TIP: “Sexual Harassment” IS NOT THE SAME AS SEXUAL ABUSE. It is the negative, unequal treatment of persons on the basis of their sex, either perpetrated or tolerated by those in authority. In the workplace, it can take the form of a pervasively “hostile workplace” in which a person is, or is made to feel, unwelcome on the basis of gender, or it can be a “quid pro quo” situation in which a person is subjected to a demand (expressly or impliedly) for sexual favors in exchange for job advantages or to avoid job disadvantages. For youth participating in parish functions and for students in Catholic schools, it can include sexually demeaning comments, sexual statements, questions, slurs, anecdotes, epithets, letters, notes or invitations. All these sorts of conduct are prohibited whether it is male to female, female to male, or same-sex conduct; it is also not limited to Revised 1/16/2013 25
supervisors or managers, and even includes persons doing business with the Archdiocese. See the Archdiocesan Policy for further details.

"Sexual Harassment," unlike sexual abuse, is a form of gender discrimination and should be considered as a separate topic.

Wherever it occurs and whomever it involves, Archdiocesan policy emphasizes: 1. prevention and education; 2. a comprehensive procedure for safe reporting and fair investigation; and 3. final resolution of all incident including any necessary disciplinary actions.

NO RETALIATION BY ANYONE AGAINST ANYONE FOR MAKING A COMPLAINT OF SEXUAL HARASSMENT IS EVER ALLOWED, EVEN IF THE COMPLAINT SEEMS OBVIOUSLY UNFOUNDED.

I. Youth/Adolescent Harassment Policy Posting and Dissemination

A. Is a copy of the Archdiocesan Harassment Policy posted in a prominent location in the administrative building of each Ministry Site (e.g., parish office)?
   ____ Yes ____ No

B. Is a copy of the Archdiocesan Harassment Policy provided to all paid staff and regular volunteers involved in youth/adolescent ministry at the time that a new employee or volunteer joins the program, as well as at the beginning of each school year or more frequently as needed? ____ Yes ____ No.

C. Is a summary of the Archdiocesan Harassment Policy provided to all parents/guardians and included in any parent and volunteer and/or youth/adolescent handbooks at each local site? ____ Yes ____ No.

II. Investigation and Acting on Youth-Participants' Complaints

A. Are ALL Youths/Adolescents involved in a parish/school activity advised that any participant who engages in the harassment of another during a function/activity of that program or while going to or coming from such a function/activity is subject to disciplinary action up to and including expulsion? ____ Yes ____ No.

B. Is a complaint procedure in place that allows:

   1. Youth/Adolescents who feel aggrieved to directly inform the person engaging in such conduct that it is offensive and must stop, or
   2. If a Youth/Adolescent is not comfortable making such a request, or if the request was not effective, encourages the him/her to direct their complaint to their parents or the program director or other responsible adult, and that they may have a same-sex adult also present if they so desire? ____ Yes ____ No.

C. After a complaint is received, does the program administration refer to and follow the "General Guidelines for Program directors, Employees and Volunteers Designated to Investigate
Harassment Complaints" set forth in the Archdiocesan Harassment Policy, including prompt response, investigation, and interviews of the complainant, the alleged harasser and all relevant witnesses, as well as a final response and report and any necessary corrective/disciplinary actions in consultation with the Archdiocesan program director?

_____ Yes _____ No.

D. Please explain any "no" answers:

III. Workplace Policy Posting and Dissemination

A. Is the Archdiocesan document "Policies and Procedures Regarding Child Abuse and Harassment" posted in each work location (e.g., the parish office)?

_____ Yes _____ No

B. Are all employees and regular volunteers advised* upon hire of the Archdiocesan policy against harassment, as defined in the Archdiocesan Policies handbook?

_____ Yes _____ No.

[*PRACTICE TIP: The Archdiocesan Policy on Harassment is included in the Sexual Abuse Policy Handbook, and is an appendix to the Parish Employee Handbook. Providing this handbook to all employees (as discussed above), will also accomplish the notices to employees discussed here. It does NOT, however, substitute for also posting the policy in a central work location or providing it to others as discussed above.]

C. Are all employees and regular volunteers advised that all such harassment on the job is unlawful?

_____ Yes _____ No.

D. Are all employees and regular volunteers advised in writing, e.g., in the parish personnel handbook, of the Archdiocesan complaint procedure contained in the Archdiocesan Child Abuse and Harassment Policy?

_____ Yes _____ No.

E. Are all employees, regular volunteers and all supervisors advised in writing upon hire that no retaliation of any sort against any employee who makes any complaint of harassment is permitted or will be tolerated by the Archdiocese?

_____ Yes _____ No.

F. Are all employees and regular volunteers advised in writing that charges of harassment will be immediately effectively and thoroughly investigated in accordance with Archdiocesan investigative procedures, and that if such charges are substantiated the employee will be subjected to disciplinary action, up to and including discharge, and that clergy are subject to appropriate canonical punishment or action?

_____ Yes _____ No.

G. Are all employees, regular volunteers and supervisors advised in writing upon hire and regularly thereafter that the Archdiocese will not pay for damages assessed personally against an employee or clergy member found to have committed acts of harassment?

_____ Yes _____ No.

H. Are all employees and regular volunteers advised immediately upon hire (e.g., in the personnel handbook and by all required postings) that they are entitled to file complaints with the Revised 1/16/2013
Federal Equal Employment Opportunity Commission if they believe they have been subjected to harassment?  ____ Yes  ____ No.

I. Please explain any “no” answers:

IV. Supervisor’s Training

A. Have all supervisory employees received, within the last two years, the state-mandated training in avoiding sexual harassment provided online through the Archdiocesan Department of Human Resources?  ____ Yes  ____ No

[*PRACTICE TIP: The State of California requires indoctrination of all supervisors in avoiding sexual harassment. The State mandates what this training must include and commands that it be done no less frequently than every two years. The definition of “supervisor” is very broad and must be considered to include all persons to whom any other persons report or who have hiring, firing or policy-making duties over others.]

1. If “no” please identify all supervisory personnel who have not undergone the training within the last two years, including the reason and the date by which the training will be completed:

V. Investigation and Acting on Harassment Complaints

A. Are employees and regular volunteers advised that any harassment of another is grounds for disciplinary action up to and including termination?  ____ Yes  ____ No.

B. Is a complaint procedure in place that allows:

1. Employees who feel aggrieved to directly inform the person engaging in such conduct that it is offensive and must stop, and/or

2. If an Employee is not comfortable making such a request, or if the request was not effective, encourages him/her to direct their complaint to the pastor or other responsible supervisor, or to the Archdiocesan Human Resources Department?  ____ Yes  ____ No.

C. After a complaint is received, does the program administration refer to and follow the “General Outlines for Program directors, Employees and Volunteers Designated to Investigate Harassment Complaints” set forth in the Archdiocesan Harassment Policy?  ____ Yes  ____ No.

D. Please explain any “no” answers:

Revised 1/16/2013
ELDER/DEPENDANT ADULT ABUSE REPORTING*

[*Practice Tip: California Law requires that all clergy (priests and deacons) must report any reasonable suspicion that an elder or otherwise dependent adult is being subjected to abuse. An “elder” is any person over the age of 65, and a “dependent adult” is any person between the age of 18 and 64 who has physical or mental limitations which restrict his or her ability to carry out normal activities or to protect his or her own rights. This includes physical or developmental disabilities, persons whose abilities have diminished because of age or persons who are admitted as inpatients in mental health facilities. “Abuse” means any of these: a) physical abuse, neglect financial abuse, abandonment, isolation, abduction or other treatment that causes physical or emotional suffering, or the deprivation by a care professional of necessary goods or services. Fail to file a mandated report can result in criminal prosecution!]

I. Mandated Reporters of Elder Abuse

A. Are all clergy (priests and deacons) aware that they are legally mandated to report any reasonable suspicion of Elder/Dependent Adult Abuse? _____ Yes _____ No

II. Elder/Dependent Adult Abuse To Be Reported

A. Are all clergy (priests and deacons) informed of the legal definition of elder/dependent adult abuse, including physical, mental or financial maltreatment? _____ Yes _____ No

III. Elder/Dependent Adult Abuse Reporting

A. Are mandated reporters of elder abuse informed that they must report suspected incidents of abuse to Adult Protective Services as soon as possible by telephone, followed by a written report within two working days? _____ Yes _____ No
GENERAL PARISH OPERATIONS

I. Consultative Parish and School Boards

[NB: this section applies to all lay boards intended to aid the operations of the parish and school, including “parish councils,” “pastoral councils,” “finance councils,” “boards of education,” “liturgy committees,” “vocations committees,” “building committees,” committees overseeing special ministries, fundraising committees, etc.]

[For all “yes” answers, please have all supporting documentation available for review.]

A. Parish/Pastoral Councils

1. Do you have a Parish Council or Parish Pastoral Council? _____ Yes _____ No.

   a. If “no,” please explain:

   ________________________________________________________________

   b. Does the Pastoral Council identify issues for study and consultation at the recommendation of the Pastor and on its own initiative? _____ Yes _____ No.

   c. Does the Pastoral Council make recommendations to the Pastor and his staff on what should be done for the parish? _____ Yes _____ No.

   d. Is the Pastor an *ex officio* member of the Pastoral Council? _____ Yes _____ No.

   e. Does the Pastoral Council have a chairperson responsible for facilitating and encouraging discussion and understanding of issues and develop consensus? _____ Yes _____ No.

   f. Does the Pastoral Council work from an established, written agenda, distributed at least a week in advance of meetings? _____ Yes _____ No.

   g. Does the Pastoral Council have a workable number of members (usually no more than fifteen)? _____ Yes _____ No. How many members does the Pastoral Council have?

   h. Are members chosen according to a diversity of gifts and points of view? _____ Yes _____ No.

   i. Are members of the Pastoral Council Catholics in good standing who celebrate liturgy with the parish and committed to the life and mission of the parish and the Church’s understanding of consultation? _____ Yes _____ No.

   j. Does the Pastoral Council make use of standing and ad hoc committees, including at least a standing executive committee, as needed?

Revised 1/16/2013
____ Yes ____ No.

k. Does the Pastoral Council work as a resource of consultation to the Pastor, with all final decisions reserved to him? ____ Yes ____ No.

l. Please explain all “no” answers:

B. Finance Councils

1. Do you have a parish Finance Council? ____ Yes ____ No.
   a. If “no,” please explain:

b. Are your Finance Council members carefully chosen for their financial expertise and specifically trained in their canonical role and function? ____ Yes ____ No

c. How are your parish Finance Council members selected?

   ________________________________________________________________

   ________________________________________________________________

d. Is your Finance Council informed of and consulted about all major parish and school financial decisions? ____ Yes ____ No

e. Is your Finance Council informed of all major parish and school financial problems? ____ Yes ____ No

C. Other boards and councils

1. Do you have a Board of Education? ____ Yes ____ No.
   a. If “no,” please explain:

2. Do you have other parish and/or school consultative boards? ____ Yes ____ No.
   a. If “yes,” please list and briefly describe:
b. For appointed positions on boards, please state who is responsible for appointments:

D. Council Operations

1. Does the pastor/school administration (as appropriate) retain the right to dismiss board members? _____ Yes _____ No

2. For each board, were the approved Archdiocesan model “statutes” or “procedures” used in formulating all such charters, etc.? _____ Yes _____ No.

   a. If “no,” please explain. If “yes,” were any changes made to the mandatory portions of the Archdiocesan models? Please identify any changes made to the approved Archdiocesan models, and if to mandatory portions whether such changes were approved by the Archdiocesan legal office and Superintendent of Schools:

   3. Do the charters of all councils/boards reflect that they are auxiliaries of the parish/school, with an advisory role? _____ Yes _____ No.

   4. Is the pastor/school administrator at least an ex officio member of each board? _____ Yes _____ No. If “no,” please state which boards the pastor/administrator does not participate in and explain:

   5. Do any councils/boards maintain their own a bank account(s)? _____ Yes _____ No.

      a. If “yes,” please list all such accounts, including the name of the account the name of the bank, the number of the account and the name of all persons with signing/check writing authority:

      b. Are all accounts maintained under the parish/school name, using the parish/school tax ID number? _____ Yes _____ No.

      c. Is the pastor/school administrator included as a signatory on all such accounts? _____ Yes _____ No. If “no,” please explain:

   6. Has each member of the Parish council, Parish finance council and School Board familiarized themselves with the policies referenced in this Review Instrument as well as the Archdiocesan Financial Policy Manual? _____ Yes _____ No.

Revised 1/16/2013
7. Have the heads of all Boards and Auxiliaries not referenced above been directed to familiarize themselves with those policies and procedures that relate to the work they perform?  
_____ Yes _____ No.

[PRACTICE TIP: Boards are aids to the efficient operations of the parish and school, but under civil and canon law, they are not a substitute for the corporate role of the Archdiocese or the canonical role of the pastor and Archbishop; therefore, Archdiocesan policy is designed to make maximum use of the expertise of boards while retaining all final decision-making and financial control of Church property to the authorized civil and canonical authorities.]

II. Contracts

[NB: This section pertains to all contracts, whether entitled “Agreements” “Memoranda of Understanding,” “Leases,” “Use Agreements,” and the like. For all “yes” answers, please have all supporting documentation available for review.]

A. Non-Employment Contracts*:

1. Within the last three years, has the parish/school entered into any contract that involves more than $10,000 or lasts one year or more in duration?  _____ Yes _____ No.

[PRACTICE TIP: Authority to bind the Archdiocese (including its parishes) by signing contracts and other agreements is a matter of delegated “corporate authority.” Pastors have corporate authority to enter into contracts that are less than one year in duration and less than $10,000 in amount (with certain limited exceptions for construction projects). Other contracts (one year or more OR $10,000 or more) should be sent to the Chancery for review by the legal office and approval/signature by the Vicar for Administration.]

   a. For each of these contracts, was the contract reviewed by the Archdiocesan legal office and signed by an attorney-in-fact of the Corporation Sole?  _____ Yes _____ No. If “no,” please attach and explain:


B. Employment Contracts*:

1. Do you have any employees (aside from professional instructional staff in your school) under contract?  _____ Yes _____ No.

[PRACTICE TIP: The Parish Personnel Handbook (discussed above) was developed at the request of many pastors to standardize employment terms as much as possible, and to place at one fingertips location most of the notices and acknowledgments required for employees. It is therefore designed to replace the vast majority of employment contracts. Except in a few special cases (such as contracts with school instructional personnel, contracts with religious orders or when special arrangements are required for a high-level executive position) we no longer use individual employment contracts. Ad hoc exceptions to this rule should be discussed in advance with the Legal Office.]

Revised 1/16/2013
a. Have all employment contracts been specifically authorized by and reviewed by the Archdiocesan legal office and signed by the Attorney in Fact for the Corporation Sole or other persons specifically designated by the Archbishop? ____ Yes ____ No. If “no,” please attach and explain:

C. Contracts Incurring Debt (e.g., non-cancellable copy-machine leases).

1. Was the Archdiocesan Finance Department consulted in advance before entering into any contract that incurs debt (e.g., loans, encumbrances, mortgages, agreements secured by real or personal property, etc.)? ____ Yes ____ No.

   a. If “no,” please list all such contracts:

2. Has the parish or school purchased any “capital assets”* within the last three years through a deferred payment agreement or any other arrangement that involves making payments “over time”? ____ Yes ____ No.

[*“Capital Assets” include all personal (i.e., non-land) property with a value of $10,000 or more, and all real property. Copy machine leases are typically for a term of up to five years or more, and are usually non-cancellable. Because they bind the parish/school to payments even if the machine is returned or not needed, they are reviewed as “debt contracts” by the finance department.]

   a. If “yes,” does the purchase agreement require that payments be made even if the item is returned? ____ Yes ____ No.

   b. If so, did the Archbishop, Vicar General or Vicar for Administration sign the contract? ____ Yes ____ No.

   c. If not, please list all such contracts:

III. Political Campaign/Lobbying Activities

[For all “yes” answers, please have all supporting documentation available for review.]

A. Political Campaigning/Endorsements

1. Does the parish/school allow use of Archdiocesan property for political campaign purposes (including sermons/bulletins/fliers/meetings/rallies/etc.)? ____ Yes ____ No.

Revised 1/16/2013  34
[Practice Tip: Despite some opinions that have been going around, Church property (including a parking lot) is not a "public forum" in which there is a constitutional right to distribute leaflets or otherwise express opinions. If it were, all persons would be entitled to express any opinions they wish on Church property; for example, both pro-life and pro-abortion proponents would have equal rights to speak on Church property. But, fortunately, that is not the law. On the contrary, pastors have the legal authority to allow or prohibit such expressions on parish grounds. However, with few exceptions, the rule of thumb should be that whatever is allowed on parish property would be considered (for tax purposes) an expression by the Church itself. It should therefore be monitored and limited according to the restrictions on "lobbying" and "campaigning" at the risk of our tax-exempt status. For further details on political campaigning and lobbying activities, see the Archdiocesan website's Index to Policies and Procedures.]

a. If "yes," is the content of all such use carefully monitored to ensure that no endorsements of, or opposition to, any particular candidate(s) or political party(ies) is allowed? _____ Yes _____ No. If "no," please explain:

2. Does the parish/school prohibit the distribution of partisan campaign literature on parish/school grounds (including parking lots) or bearing the parish/school name? _____ Yes _____ No.

If "no," please explain:

3. Does the parish/school allow voter registration/ "get out the vote" drives on Archdiocesan property? _____ Yes _____ No

   a. If "yes," are such events closely monitored to ensure that no bias for any political party or candidate is allowed? _____ Yes _____ No. If "no," please explain:

   b. Are such events conducted in conjunction with any political campaign against or in favor of any political position? _____ Yes _____ No. If "yes," please explain:

4. Are any political materials/events from outside organizations allowed to use Archdiocesan property? _____ Yes _____ No.

If "yes," please identify all such groups and the nature of the activity:

   a. Have outside political materials been cleared through the Archdiocesan legal office? _____ Yes _____ No.
b. If “no,” please explain:

[PRACTICE TIP: Church organizations may not promote or oppose a candidate or party. Even allowing “speakers’ forums” or “candidates nights” and such can be a risky activity … if you allow some persons to speak in favor of a particular candidate or party, you must allow all such persons to speak, regardless of their political views or platforms. These events must be truly neutral! That’s one reason they are strongly disadvised.]

B. Lobbying

1. Are any parish/school employees/contractors/clergy involved in “lobbying”* (i.e., contacting or urging the public to contact members of any legislative body for the purpose of proposing, supporting or opposing any legislation, referendum or initiative (e.g., petitioning for ballot measures, etc.)? _____ Yes _____ No.

[*PRACTICE TIP: “Lobbying” is activity directed at influencing specific legislation, rather than the election of particular candidates or parties. Influencing legislation is not the same as speaking out on issues, which Churches are entitled to do. The better practice is to routinely avoid lobbying activities, including petition drives, mailings, etc., unless specifically approved by the Archbishop or Archdiocesan public policy office.]

a. If “yes,” are such activities voluntary, unpaid, activities for the employee’s own purposes on the employee’s own time, without use of parish/school resources and not organized, encouraged or requested by the parish/school? _____ Yes _____ No.

b. If “no” and if the activity is done in any way or by anyone who might be taken as acting for the parish/school or Archdiocese or Church (e.g., a clergyman), is it stated unambiguously that the activity is personal to the person and does not represent the action of the Church? _____ Yes _____ No.

2. If lobbying is done by/for the parish/school or Church, does it constitute a substantial part of the parish/school total activities (e.g., less than 5%, measured by time, effort, expenditure/ or other factors)? _____ Yes _____ No. If “yes,” please explain:

3. Has all lobbying activity been cleared in advance by the Archdiocesan Public Policy Office to assure that the position taken is not in conflict with that of the Archbishop, California Catholic Conference and/or United States Conference of Catholic Bishops? _____ Yes _____ No.

4. Please explain all “no” answers:

IV. Internet and Email and Electronic Fundraising

Revised 1/16/2013
[NB: These questions do not apply to accounts that are all of the following: a) private, personal internet service accounts, b) established solely on non-Archdiocesan machines, c) with the user's personal funds and d) not for Archdiocesan business.]

[For all "yes" answers, please have all supporting documentation available for review.]

A. Internet and Technology Policy:

1. Have all employees and other authorized users of technology systems been given copies of the Archdiocesan internet/email policy, been required to read it, and signed and returned the user acknowledgment contained in it (for employees, this is included in the Parish Employee Handbook)? _____ Yes _____ No.

   a. Are the originals of all acknowledgments kept in the parish’s files? _____ Yes _____ No.

2. Is a copy of the Archdiocesan internet/email policy posted in a conspicuous location where it is available to all employees? _____ Yes _____ No.

Please explain all “no” answers:

________________________________________________________________________

[PRACTICE TIP: The internet and email have been increasingly open to abuse by spammers, virus-mongers, hucksters, pornographers, and even misguided employees. The law tries to strike a balance between the legitimate business purposes of an employer, the danger to systems from outside invaders, and the privacy concerns of employees. The Archdiocesan internet/email policy has been carefully designed to follow that balance.]

B. Internet/e-mail accounts and access:

1. Does the parish/school have a single Internet Service Provider for all Archdiocesan machines (i.e., machines purchased with Archdiocesan funds or used for Archdiocesan business) and work? _____ Yes _____ No. If “no,” please identify all additional parish/school accounts:

________________________________________________________________________

2. Are all individual mailboxes, screen names, and e-mail addresses used on parish/school machines established through the user’s supervisor with the supervisor’s permission? _____ Yes _____ No.

3. Are all parish/school ISP accounts used only for Archdiocesan business except with permission of the user’s supervisor? _____ Yes _____ No.

4. Are the times and circumstances during which private use of the internet/email may be made during working hours established by the users’ supervisors? _____ Yes _____ No.

Revised 1/16/2013
Please explain all “no” answers:

C. Internet and Email Usage:

1. Has the parish/school become aware of any unacceptable use of the internet/e-mail by Archdiocesan personnel, as defined in the Archdiocesan policy (e.g., discriminatory, harassing, obscene, offensive material or “Spam”) within the last three years? _____ Yes _____ No.
   a. If “yes,” please describe and outline steps taken to prevent further incidents:

2. Does each parish/school user maintain a unique identification so that all messages/information may be traced to a single individual (e.g., unique screen name/password, etc.)? _____ Yes _____ No.
   a. If “no,” please explain:

   b. If “yes,” are all such identifiers available to each user’s supervisor? _____ Yes _____ No.

3. Is all software on any parish/school machine properly purchased and licensed, and fully registered to the Archdiocese/Parish? _____ Yes _____ No.
   If “no,” please identify all additional software and explain:

D. Parish and School Websites:

1. Does the parish/school maintain a website? _____ Yes _____ No.

2. Is material/information placed on the parish/school website only with the knowledge and permission of the pastor/principal? _____ Yes _____ No.
   a. If “no,” please describe who has authority to alter/add to the website:
E. Electronic and Internet Fundraising/E-Commerce

1. Is any form of Parish “e-commerce”* performed through the website? _____ Yes _____ No.

[*“E-commerce” means any buying or selling of merchandise of the parish/school or a third party, or soliciting of donations to parishes or schools, tuition collection, etc., electronically or over the internet. Activity, electronic or otherwise, that amounts to an endorsement or advertisement of a particular product or vendor, or sharing in a for-profit business, is not allowed.]

   a. If “yes,” please identify:

   _____________________________________________

b. If “yes,” has all such activity approved by the Archdiocesan finance director? _____ Yes _____ No. If “no,” please explain, including the nature of the e-commerce:

   _____________________________________________

2. Is the school/parish website kept clear of all third-party advertising/endorsements/virtual mall links, etc.? _____ Yes _____ No. If “no,” please explain:

   _____________________________________________

3. Has the school/parish participated in any electronic fundraising, such as “virtual mall” shopping or some other program where the school shares in revenue from purchases, and the like)? _____ Yes _____ No. Please list:

   _____________________________________________

   a. Have all of the above received prior approval from the Archdiocesan Development office, the Department of Catholic Schools or Vicar for Administration, as appropriate (e.g., E-Scrip and SchoolPop.com)? _____ Yes _____ No.

   i. If without prior approval, please fully describe all such programs and attach copies of any contracts/guidelines, etc.

   _____________________________________________

4. Do any parish/school materials (e.g., websites, billboards, bulletin boards, bulletins, circulars, etc.) contain any marketing materials for outside businesses? _____ Yes _____ No. If “yes,” please list the locations and nature of those materials:

   _____________________________________________

   a. If “yes,” is clear mention made that the parish/school/Archdiocese is not sponsoring or recommending the advertised product? _____ Yes _____ No.
V. Copyrighted Material

[NB: Applies only to material that is not directly related to educational use* in a Catholic School]

[*PRACTICE TIP: Copyrighted material can be any music, audio and/or video, or printed materials created by another. “Educational Use” means use only of small, select portions of copyrighted works, directly in educational activities. Copying entire works to avoid purchase, no matter what use it is put to, is not an “educational use.”]

[For all “yes” answers, please have all supporting documentation available for review.]

A. Use of Copyrighted Material

1. Do you use any copyrighted material (or portion of copyrighted material) in liturgy or other parish functions (e.g., reproduction of printed material or playing audio recordings or videotapes)? _____ Yes _____ No.

   a. If “yes,” was the material either performed from legal editions (e.g., buying a copy of music for the music leader who performs it, or buying songbooks for the congregation), or did you procure written permission from the publisher for either one-time use or ongoing use, as appropriate? _____ Yes _____ No.

      i. if “no,” please explain:


B. Reproduction of Copyrighted Material

1. Do you reproduce copyrighted material (or any portion of copyrighted material) for use in parish functions (e.g., photocopying, reprinting on overhead projectors, songbooks, slides)? _____ Yes _____ No.

   a. If “yes,” have you procured written permission from the publisher for reproduction? _____ Yes _____ No.

      i. if “no,” please explain:


Revised 1/16/2013
C. Exhibition of Copyrighted Material

1. Do you exhibit copyrighted material, other than directly for educational purposes (e.g., show videos on "rainy days" or for entertainment or fundraising purposes)? ___ Yes ___ No.

   a. If "yes," have you procured written permission from the publisher for exhibition? ___ Yes ___ No.

   b. If "no," please explain:

D. Live Streaming and Webcasting

1. Do you allow liturgies or other parish events be broadcast, "live-streamed" or otherwise reproduced over mass media* such as the internet? ___ Yes ___ No.

[* PRACTICE TIP: Allowing performance of copyrighted material over television, radio or the internet can run afoul of copyright licensing laws as well as various tax laws.]

VI. Endowments and Fundraising

[See also the checklist for electronic fundraising and e-commerce]

[For all "yes" answers, please have all supporting documentation available for review.]

A. Endowments

1. Please identify all endowments related to the parish/school:

2. Have all such endowments been established through the Archdiocesan Development office and approved in writing by the Archbishop or his Attorney in Fact? ___ Yes ___ No.

   a. If "no," please identify all purported endowments not established in this manner, including the size, purposes, an date of creation of each, and attach a copy of the establishing document for each:

B. Fundraising

1. Are all substantial fundraising activities submitted for approval to the Pastor and the Parish Finance Council beforehand? ___ Yes ___ No.

2. Are control procedures in place to account for all proceeds of any substantial fundraising activities in place before any activity is begun? ___ Yes ___ No.

Revised 1/16/2013
3. Are substantial fundraising activities included in the appropriate budget, and the proceeds reflected in the budget of the entity to which the funds will be directed?  ____ Yes  ____ No.


   a. Please explain any “no” answers:

VII. Child-Care Programs

[For all “yes” answers, please have all supporting documentation available for review.]

   A. For all Child-Care programs (NOT including school extended care programs) operated on parish grounds (regardless of operator):

      1. Has the program been licensed by Community Care Licensing?  ____ Yes  ____ No. If “yes,” please attach a copy of license; if “no,” explain:

      2. Is the program run by a responsible/informed Advisory Board?  ____ Yes  ____ No.

   B. Parish-Run Programs:

      1. Is the pastor actively involved with the Advisory Board?  ____ Yes  ____ No. Please attach a copy of the organizing/constituting document(s) of the Advisory Board.

      2. Has the pastor retained the right to hire/fire and evaluate the program director?  ____ Yes  ____ No. If “no,” please explain.

   C. Outside operators:

      1. Is the outside operator a licensed non-profit organization and is there a written lease reviewed by the Archdiocesan legal and real estate offices signed by the chancery’s corporate

Revised 1/16/2013 42
officials? ____ Yes ____ No. If “yes” please attach. If “no,” please explain:

2. Does the outside provider hold the required, currently valid, state license in its own name? ____ Yes ____ No.

3. Has the provider given proof of adequate liability insurance (certificate and endorsement), naming the Archdiocese as an additional insured? ____ Yes ____ No. If “yes,” please attach policy endorsement/certificate. If “no,” please explain:

D. Family Day-Care Homes:

1. Does the parish refer parents to private family day-care homes? ____ Yes ____ No.

2. Before making referrals, does the parish ensure that any homes have procured their own licenses through Community Care Licensing? ____ Yes ____ No.

E. Please explain any “no” answers:

VIII. Legal Services

[For all “yes” answers, please have all supporting documentation available for review.]

A. Routine Services

1. Are all routine requests for legal advice referred to the Archdiocesan Legal Office? ____ Yes ____ No. If “no,” to whom are such questions referred?

B. Outside Services

1. Is the parish/school currently participating (as plaintiff or defendant) in any legal dispute or proceeding? ____ Yes ____ No.

   a. If “yes,” please describe:

   b. If “yes,” is the parish/school represented by legal counsel? ____ Yes ____ No. Please identify counsel:
c. Was retention of counsel approved in advance by the Archdiocesan Legal Office?  
   _____ Yes _____ No. If "no," please explain:

   ____________________________________________

   d. Is the Archdiocesan Legal Office overseeing the work of outside counsel on all such matters?  
   _____ Yes _____ No. If "no," please explain:

   ____________________________________________

C. Estates, Trusts and Wills

1. Are all probate/estate/trust matters referred to the Archdiocesan Legal Counsel for oversight?  
   _____ Yes _____ No. If "no," please identify all such matters and explain:

   ____________________________________________

D. Other Matters

1. Is the parish/school currently represented in any other matter by outside legal counsel?  
   _____ Yes _____ No.

   a. If "yes," please identify counsel and describe the nature of the representation:

   ____________________________________________

   b. If "yes," is the work of counsel supervised by the Archdiocesan Legal Office?  
   _____ Yes _____ No. If "no," please explain:

   ____________________________________________
BUILDINGS AND GROUNDS

I. Outside Use of Parish/School Property

[For all “yes” answers, please have all supporting documentation available for review.]

   A. Do any outside persons/organizations (i.e., any non-parish or non-Archdiocesan) regularly/periodically rent or otherwise use space in buildings/on grounds?*

   [*PRACTICE TIP: Use of parish/school space presents two basic issues: First, who is liable (and insured) for accidents or other mishaps that occur during the “outside” use? Second, the tax authorities understandably take a very dim view of the use of tax-exempt properties for non-charitable purposes. The Archdiocesan policies and forms for outside users help to ensure that only qualified persons or groups use our property and that the “risk” of that use is appropriately shifted to the users (and to their insurers). For further details, see the Archdiocesan website’s Index to Policies and Procedures.]

   1. Name all such persons/organizations and their activities on site:

   B. Have you verified the non-profit status of each such person/organization and the charitable/religious/educational purpose of each activity? Yes No

   1. If “no” please identify those you have not verified:

   C. Have you procured a Standard Archdiocesan Lease Form agreement, signed by the user and the Archbishop or his attorney in fact for each outside user? Yes No

   1. If “no,” please list all users for which no lease or use agreement has been obtained:

   D. For one-time or occasional use functions does the parish require the user to sign the standard Archdiocesan Occasional Use Form and produce the required insurance certificate/endorsement? Yes No

   E. Are any of the outside users involved in film making and/or political activity on Church property? Yes No

   1. If “yes” please see checklists on “political activity” and “filmmaking” above, and the relevant discussions in the Parish and School Financial Policy manual.
II. Building Construction, Renovations and Contracting

[For all “yes” answers, please have all supporting documentation available for review.]

A. Are any projects for construction or building renovation of more than $15,000 (or electrical or roofing projects less than $10,000) underway, contemplated or have any been completed within the last three years? (Please do not include routine repairs/maintenance) ____ Yes ____ No.

1. If “yes,” please describe, including total (projected) cost of project for each:

   (“Totals refer to combined size of a project, not to individual contracts within a single project.)

For all projects listed above:

B. Has the Archbishop given conceptual approval of each project listed? ____ Yes ____ No.

C. Have all projects listed above been approved by the Archdiocesan Building Committee and any other relevant committees (e.g., Finance, Worship, Real Estate, Office of Catholic Schools)? ____ Yes ____ No.

D. If the answer to B or C is “no,” please explain:

E. Has a competitive bid process including at least three competitive bids been completed through Archdiocesan Building Committee for choice of all architects, engineers and contractors? ____ Yes ____ No.

   1. If “no,” has the “Negotiated Contract Procedures” policy been reviewed and implemented? ____ Yes ____ No.

   2. If the competitive bid procedures were not followed, please answer questions “a” through “m” below:

      a. Request for negotiated contract from building committee made in advance? ____ Yes ____ No

      b. Agreement with Building Committee for negotiation of contract signed by Pastor, High School Administrator, Rector, or Director? ____ Yes ____ No.

      c. Interviews of prospective contractors by panel of parishioners, building committee members and Pastor? ____ Yes ____ No.

Revised 1/16/2013
d. Project manager designated/approved by Building Committee? ___Yes ___No


f. Archdiocesan form of contract for all General Contractors used? ___Yes ___No.

g. Three estimates provided by General Contractor at completion of 1) Schematics, 2) Design Development and 3) Construction Documents, approved by Archdiocesan Building Department? ___Yes ___No.

h. Complete set of bid documents and specifications provided to Archdiocesan Building Department for approval at least three weeks prior to project being put out to bid? ___Yes ___No.

i. All work by subcontractors competitively bid? ___Yes ___No.

j. Formal subcontractor's walk through in coordination with Building Department provided? ___Yes ___No.

k. All subcontractors bids deposited with Archdiocesan Building Department? ___Yes ___No.

l. Subcontractor bids submitted directly (i.e., not by contractor)? ___Yes ___No.

m. Please explain any “no” answers:

____________________________________________________________________

2. Do all current or prospective architects, engineers and contractors fulfill the requirements listed on the “Criteria for Selection” checklists found in the Parish and School Financial Policy Handbook, § J? ___Yes ___No.

If “no,” please state variance and reason:

____________________________________________________________________

F. Do all contractors for projects over $300,000 have a performance bond in place for the estimated cost of the project? ___Yes ___No.

G. Under the contract, are all change orders up to the lesser of 10 percent of the original contract or $5,000 approved by the pastor, a Building Committee project manager and the architect, and if greater than that approved by the Building Committee? ___Yes ___No.

Revised 1/16/2013
H. Do any current or contemplated projects involve Hazardous Materials or the demolition, remodeling or renovation of buildings? _____ Yes _____ No.

1. If “yes,” has the project been approved by the Hazardous Materials committee? _____ Yes _____ No.

I. Do all projects use only union labor? _____ Yes _____ No.

J. For all projects regardless of amount, has a written contract been signed? _____ Yes _____ No.

1. If “yes,” have you complied with the contract-signing policy set forth in section H of the Parish and School Financial Policy Manual? _____ Yes _____ No.

2. If “no,” please indicate why not:

K. Are weekly construction meetings between Contractor, Architect, Project Manager and Archdiocesan Building Department Representative held? _____ Yes _____ No.

III. Gifts of Real Property

A. Has the parish/school received any gifts of real property in the previous three years? _____ Yes _____ No.

B. If “yes,” were all the following conditions met in each case? _____ Yes _____ No.

1. property used in connection with established or specifically approved programs or activities, or

2. held for production of income, or

3. sold with proceeds for the general purposes of the Archdiocese or as provided by the donor.

4. Please explain any “no” answers and describe the property received:

C. For each piece of property was the following determined before acceptance (in consultation with the Archdiocesan legal, finance and property departments, as appropriate)? _____ Yes _____ No.

1. In good physical condition (i.e., safe and up-to-code)?

2. Used for a lawful purpose and consistent with Archdiocesan plans?

3. If to be held for income, has a pro forma positive cash-flow analysis indicated that the income would justify holding the property?

Revised 1/16/2013
4. If to be sold, is the property in marketable condition (and acceptance of offers to sell only with the signature of the Archbishop after consultation with the appropriate offices)?

D. For each piece of property, before final acceptance, were all the following steps taken?  
____ Yes ____ No.

1. Preliminary title report received, showing good, marketable title?
2. Property valuation?
3. List of Improvements?
4. List of leases/encumbrances?
5. Commitment for title insurance obtained?
6. Physical inspection by Archdiocesan property department or other knowledgeable employee or consultant?
7. A "phase one" environmental report received and approved by the Archdiocesan property department?
8. Source of funds for maintenance, upkeep, insurance, etc. of the donated property identified?

E. For each piece of property finally accepted, was a grant deed procured in favor of the Archdiocese obtained in cooperation with the Archdiocesan Real Estate Office and recorded by the County Recorder? ____ Yes ____ No.

F. For each piece of property, was the "Donee Acknowledgment Section" of IRS Form 8283 completed in conjunction with the Development Office, a copy kept and original provided to donor? ____ Yes ____ No.

G. If the property was disposed of within two years of receipt, was an IRS form 8282 completed in conjunction with the Archdiocesan Real Estate Office and filed with the IRS? ____ Yes ____ No.

H. Was any property received subject to a current or future life estate? ____ Yes ____ No.

1. If "yes," did the life tenant enter into a written agreement (reviewed by the Archdiocesan legal office and signed by the Archbishop or attorney in fact) to pay all costs associated with the property, including taxes, insurance, etc., for the duration of the life estate? ____ Yes ____ No.

I. Was documentation for acceptance of the property prepared in conjunction with the Archdiocesan Real Estate Department and approved in writing by the Archbishop or attorney in fact? ____ Yes ____ No. Please explain any "no" answers:

IV. Filmmaking on Parish/School Grounds

A. Has the parish/school been approached by a production company or individual regarding use of parish/school property for purposes of making a film within the last three years?  
____ Yes ____ No.

Revised 1/16/2013 49
1. If “yes,” have all such requests been directed to the Archdiocesan Director of Communications for processing? ____ Yes ____ No.

   a. If not, describe all such proposals and any action taken on them:

   __________________________________________________________________________

   B. Are there any ongoing or future film projects currently contemplated using parish/school facilities or grounds? ____Yes ____ No. If so, please describe:

   __________________________________________________________________________

   C. For all ongoing or proposed future film projects, please provide the date on which the Archdiocesan Director of Communications has been or will be advised?

   __________________________________________________________________________

   [PRACTICE TIP: Filmmaking using parish/school property is frequently a problem because of a) the high-pressure tactics of some who wish to use our property, b) the fact that any mistakes can be seen by millions of people forever. That is why special care is necessary.]

V. Union Labor

   A. Does the parish/school routinely hire union labor in its outside hiring, unless the Archbishop has granted an exception in a case of extreme hardship or special circumstances? ____ Yes ____ No.

      1. If “no,” please explain:

      __________________________________________________________________________

      2. If non-union labor is approved, is such labor monitored to ensure that the hirers treat their workers according to the principles of Catholic social teaching, including paying all employees at least “the prevailing wage and benefits” of the area? ____ Yes ____ No. If “no,” please explain:

      __________________________________________________________________________

   B. Does the parish/school support the rights of workers to organize freely? ____ Yes ____ No.
SCHOOL ADMINISTRATION

[NB: These questions are directed at specifically school-related issues, and are designed not to be duplicative of the educational/administrative areas examined via site visits by the Department of Catholic Schools.]

PRINCIPALS SHOULD ALSO CONSULT THE SECTIONS ABOVE RELATING TO GENERAL PERSONNEL AND PROPERTY ISSUES.

For all “yes” answers, please have all supporting documentation available for review.

I. Student/Parent Records, Consents and Agreements

A. Universal Consent Form:

1. Does the school distribute the Archdiocesan Universal Information and Consent Form (available from the Department of Catholic Schools) to, and receive them back from, parents at the start of every school year? ____ Yes ____ No.

2. Has the form been modified from its original form? ____ Yes ____ No. Please identify any changes to the original form and attach:

__________________________________________________________________________

B. Student Medication: Does the school administer any medicine to any students (including over-the-counter medicines)? ____ Yes ____ No.

1. If “yes,” have all the following steps been taken?
   ____ Yes ____ No.
   -- Release from doctor and parent stating nature of medication.
   -- Medication kept sealed, labeled with contents and student’s name, in school office.
   -- Student comes to school office for the medication
   -- Medication does not include injections

   a. Please explain any “no” answer:

   _________________________________________________________________________

2. Do any students self-medicate at school? ____ Yes ____ No.

   a. If “yes,” have the following steps been taken:

   -- parent checks line on medication form giving consent to self-administer
   -- student takes medication under supervision by office personnel

Revised 1/16/2013
Please explain any “no” answers:

II. School Handbooks

A. Is a school parent/student handbook given to every family? _____ Yes _____ No.

[Please attach a copy of the current parent/student handbook.]

B. Does the school handbook refer to and hold the students and their families to the “Code of Christian Conduct” as announced in the Department of Education Administrative Handbook? _____ Yes _____ No.

1. If “no,” please explain:

III. Tuition Agreements – Code of Christian Conduct

A. Does your school use the standard tuition agreement recommended by the Department of Catholic Schools? _____ Yes _____ No.

1. If “no,” please describe all changes to the model agreement:

[Please attach a copy of the current tuition agreement.]

B. Does your tuition agreement incorporate by reference all the policies, terms and conditions set forth in the parent/student handbook, including the Code of Christian Conduct, to the extent that they are in accord with Archdiocesan policy and procedures? _____ Yes _____ No.

C. Does the school have a stated policy for detailing how to deal with delinquent accounts? _____ Yes _____ No.

1. Is this policy in writing and distributed to parents, preferably in the tuition agreement? _____ Yes _____ No.

2. Does the policy include appropriate warnings and collection techniques? _____ Yes _____ No.

D. Does the school offer tuition reductions and/or scholarships on the basis of need? _____ Yes _____ No.

1. Are reductions granted only on the basis of an established, written policy? _____ Yes _____ No.

Revised 1/16/2013
E. Is a higher tuition* (standard tuition plus a standard per-pupil fee) charged to non-parishioners either from other parishes that do not contribute to the support of the school or Non-Catholics? ______ Yes ______ No.

[*PRACTICE TIP: The tax laws allow tuition reductions for participation, but they do not allow higher tuition as a penalty for non-contributing families. Moreover, reduction of tuition in direct exchange for work would be considered PAY FOR WORK, constitutes taxable income and makes the volunteer an employee. In other words, raising a family to a “non-contributing” category cannot be directly indexed to the amount of work done, either on an hourly basis or on a per-job basis. It must be truly linked to broad categories of “participation” which might include contributions of work, financial contributions to school or parish, e.g., Sunday offerings (IN NON PRE-DETERMINED AMOUNTS), participation in liturgies, etc.) If the school determines that a family is “non-contributing,” the family can only be moved into a different tuition category for the following tuition-term (usually the next semester).]

1. Is tuition at the “non-contributing” rate assessed only as of the tuition-term (e.g., semester) after the family’s tuition category has changed? ______ Yes ______ No.

2. Is tuition at the “contributing” rate assessed according to a general set of criteria, and not according to a specific required job(s)? ______ Yes ______ No.

3. Is the “contributing” rate of tuition a general tuition category and not indexed on a per-hour or per-task basis, or based on specific contribution amounts? ______ Yes ______ No.

F. Are additional fees charged only as published by the superintendent? ______ Yes ______ No.

G. Please explain any “no” answers:

______________________________

SCHOOL PERSONNEL

I. Administrative Handbook

1. Is a copy of the “Administrative Handbook for Elementary and Secondary Schools” (the “Handbook”) kept on-site for reference by the Principal/Administrator and the school administration? ______ Yes ______ No.

2. Have any changes or additions been made by your school to the Handbook? ______ Yes ______ No.

   a. If “yes,” please describe and attach altered sections:

______________________________

Revised 1/16/2013 53
II. School Independent Contractors*

1. Do you use independent contractors to operate extracurricular/supplemental activities (whether or not during regular school hours)? _____ Yes _____ No.

   a. If "yes," is the operator a tax-exempt organization?
      _____ Yes _____ No.

   b. If the operator is not a tax-exempt organization, is the program/class an integral part of the school’s educational activities (i.e., not occasional, casual or distantly relevant) and has the appropriate Archdiocesan contract form which includes hold-harmless and insurance agreements been signed in advance by the contractor, the principal and the appropriate corporate officers?
      _____ Yes _____ No.

[*PRACTICE TIP: All independent contractors, and especially those hired to perform services related to the school's educational mission (e.g., a service that provides physical education classes) must follow the general rules for independent contractors and for school contractors. Please see the checklist above for further guidance.]

SCHOOL EMPLOYEE AND STUDENT-TO-STUDENT SEXUAL HARASSMENT

I. Written Complaint Policy

   A. Is a copy of the Archdiocesan Harassment Policy (see above) posted in a prominent location in the administrative building of each campus? _____ Yes _____ No

   B. Is a copy of the Archdiocesan Harassment Policy provided to all faculty members, administrative staff, and support staff at the beginning of each school year or at the time that a new employee is hired? _____ Yes _____ No.

[*PRACTICE TIP: The Harassment Policy is included in the Sexual Abuse Policy Handbook and is an addendum to the Parish Employee Handbook as well as the School Employee Handbook. It should be received by all school personnel through the School Employee Handbook, and to regular volunteers when they receive the Sexual Abuse Policy booklet.]

   C. Is a summary of the Archdiocesan Harassment Policy reproduced in the school parent/student handbooks? _____ Yes _____ No.

II. Complaint Procedures

   A. Are ALL STUDENTS and PARENTS advised at least once per year and in their Parent and Student Handbook, about the nature and definition of sexual harassment and that any student who engages in it is subject to disciplinary action up to and including expulsion? _____ Yes _____ No.
B. Is a complaint procedure in place that allows:

1. Students who feel aggrieved to directly inform the person engaging in such conduct that it is offensive and must stop, or

2. If a student is not comfortable making such a request, or if the request was not effective, encourages the student to direct their complaint to their parents or a school counselor, principal or assistant principal, and that they may have a same-sex teacher also present if they so desire? ____ Yes ____ No.

C. After a complaint is received, does the administration refer to and follow the “General Outlines for Principals, Teachers and Counselors Designated to Investigate Student Harassment Complaint” set forth in the Archdiocesan Harassment Policy ____ Yes ____ No.

D. Please explain any “no” answers:

__________________________________________________________

SCHOOL TRANSPORTATION POLICY

A. Is the Archdiocesan Transportation Policy for all Extracurricular, non-field trip transportation, provided to every parent for every event? ____ Yes ____ No.

1. Is school transportation provided only after authorization by the Athletic Director, Principal or Assistant Principal? ____ Yes ____ No.

2. Is transportation provided by supervised team bus or van(s)/car(s), driven by coaches, assistant coaches, other paid staff members or authorized volunteer adults? ____ Yes ____ No.

3. Where authorized transportation is not available or provided, are students responsible for providing their own, independent transportation only if 18 with driver’s license and after an independent transportation permission form was signed by parent or guardian? ____ Yes ____ No.

4. Does the school keep a list of students who have been given parental permission for independent transportation to off-campus events? ____ Yes ____ No.

5. Are all students returned to school in school transportation after the event unless a parent has signed the authorized form allowing a different mode of transport/destination? ____ Yes ____ No.

6. Does the school keep a list of students who have been given parental permission for independent transportation back from off-campus events? ____ Yes ____ No.

7. Please explain any “no” answers:

__________________________________________________________

Revised 1/16/2013
FUNDRAISING

A. Are all fundraising activities solely for the benefit of the school?
   ____ Yes ____ No.

B. Are all sponsors (PTG, booster clubs, etc.) pre-approved by and fully accountable to the
   pastor and school administration? ____ Yes ____ No.

C. Are all fundraising events in compliance with the statement of the Conference of
   Catholic Bishops (see, appendix to Administrative Handbook) and in consultation with the pastor?
   ____ Yes ____ No.

D. Are all fundraising activities held under the ultimate supervision of the pastor? ____ Yes
   ____ No.

E. Are all the following standards met with respect to each fundraising activity: ____ Yes
   ____ No.
   -- need and purpose clearly established in advance
   -- funds applied as soon as possible to the designated purpose
   -- funds not allowed to accumulate except for good, stated reason
   -- restrictions on donations scrupulously adhered to
   -- activity does not take advantage of students or detract from education
   -- funds deposited appropriately

F. Please explain all “no” answers:

________________________________________________________________________

G. Use of Restricted Funds

1. Are all restrictions on funds, whether express (e.g., trust or will conditions, or conditional
   gifts or endowments approved by the Archbishop or attorney-in-fact) or implied (e.g., solicited or
   received for a specific fundraising purpose) used strictly according to the restrictions (including any
   excess funds)? ____ Yes ____ No.

   a. Are funds raised by local Parent Teacher Groups used only for the educational
      work of the school and the operating expenses of the group, under the supervision of the
      pastor/principal? ____ Yes ____ No.

   b. Are scholarship funds expended consistently according to established and
      published criteria and procedures? ____ Yes ____ No.

   c. Are student activity funds used for the designated purposes only as determined by
      the charter and regular proceedings of the organizations?
      ____ Yes ____ No.

   d. Please explain all “no” answers:

________________________________________________________________________