**THE BYLAWS**

**of**

**ARCHBISHOP BERGAN CATHOLIC**

**SCHOOL BOARD of EDUCATION**

Adopted: July, 2017

Mission

*Archbishop Bergan Catholic School exists to instill a passion, as*

*exemplified by Christ, for faith, knowledge and service*

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**SECTION I**

**The Mission and Vision of Archbishop Bergan Catholic School**

1. Mission Statement: Archbishop Bergan Catholic School exists to instill a passion, as exemplified by Christ, for faith, knowledge and service.

2. Vision Statement: Archbishop Bergan Catholic School provides an exemplary Christ-centered education that develops the whole child through service, active learning and innovative instruction in order to achieve high expectations in a global community.

3. The Mission and Vision statements of Archbishop Bergan Catholic School shall be reviewed by the Archbishop Bergan Catholic School Board of Education and Administration at least once every three years.

**SECTION II**

**The Governance of Archbishop Bergan Catholic School**

1. The Corporate Board. The corporate board of directors, which includes the Archbishop of the Archdiocese of Omaha, operates Archbishop Bergan Catholic School.

2. The State. Archbishop Bergan Catholic School will operate in accordance with the laws of the State of Nebraska as they are applicable to compulsory attendance, certification of teachers and the State of Nebraska Department of Education’s authority to approve attendance center under Nebraska Law.

3. The Pastor. The Pastor of St. Patrick’s Parish, unless otherwise assigned by the Archbishop of Omaha, shall serve as the Chief Executive Officer of Archbishop Bergan Catholic School and shall exercise the legal authority of the Church, as provided and directed by the Archbishop, in functions and operations of the school system. The authority of the Church may also be vested in others as authorized by the Archbishop of Omaha.

4. The School Board and Parish Relationships. The official name of the advisory body which more directly assists the School Administrators in operating Archbishop Bergan Catholic School shall be the Archbishop Bergan Board of Education. The School Board will maintain strong working relationships with the Parish committees.

5. Function of the School Board. The function of the Archbishop Bergan Catholic School Board of Education is to formulate and evaluate school policy, develop strategic plans for the school and offer advisory counsel and support to School Administration and Chief Executive Officer.

Furthermore, the School Board shall be responsible for the following duties and functions (but not limited to):

A. Promotion and support of Catholic Education in the Fremont area community. Ensure Archbishop Bergan Catholic School is recognized as an excellent educational opportunity for children in our area.

B. Responsibility for the development of a strategic plan which will guide school system operations and objectives with a focus on continuous improvement.

C. Implement and review general policies and programs and evaluate the adequacy of school policies and the effectiveness of their implementation within the school system on an annual basis. Further, review and adopt the Student/Family and Early Childhood Education Handbooks on an annual basis and recognize these documents as board policy.

D. The Parish Finance Committee is responsible for determining the school's operating budget which includes all revenues and expenses. The Parish Council is also responsible to ensure accountability of the school's budget with the school Administration. Annually, the School Board will provide input to the Parish Finance Committee on tuition rates and salaries. The Finance Committee will notify the School Board of tuition rates and labor expenses each year.

E. Recommend and review local policies related to the planning, operations and maintenance of school facilities and equipment including the education aspects of new facilities.

F. Provide input to the Chief Executive Officer/Pastor/Pastor to be used in the annual, formal evaluation of the School Principal.

G. Facilitate regular communication with school staff, Bergan families and St. Patrick’s Parish and Fremont community.

H. The School Board President or designee may be present for selection process for all Administration and school staff positions.

I. The School Board will provide curriculum goals of Administration and staff.

J. School Board Committees. The Board may designate standing or ad-hoc committees from time to time as required to act for the specific duties outlined by the Board at the time the committee is established.

1. The only standing committees of the Board are the Executive Committee, the Governance & Leadership and the Parental Engagement, Advancement and Recruiting (PEAR) Committee.

2. The Board shall designate the specific purpose, authority and term of each committee that is established.

3. The School Board President shall appoint the members of each committee.

4. Committees shall be comprised of at least two (2) members of the Board. Other committee members may include other members of the parish, faculty or students of Archbishop Bergan Catholic School, or any other community members as deemed appropriate by the Board or School Administration.

5. The School Board President shall designate the chairperson of each appointed committee.

6. All committees shall be required to provide regular progress reports to the Board as part of the regular School Board Meeting Information Agenda.

7. The Chief Executive Officer of Archbishop Bergan Catholic School and the School Board President may serve as a member of any committee and may participate in any committee in such manner as they deem appropriate.

6. School Board Membership. The School Board shall consist of 9-15 members. One must be a non-parishioner with a child in the school. No more than three non- parishioner members shall serve on the board at one time.

1. Term of Office. The term of office for all members shall be three (3) years. The Pastor shall serve as a member for the duration of his appointment at St. Patrick’s Parish. Members who are appointed during the middle of a term shall serve for the term of their appointment and the appointed term shall be considered a full term, regardless of the length of the appointed term. No member shall serve for more than two consecutive terms. After a one-year break, a past member can return to serve as a Board member.
2. Qualification. Any person who is a registered member of St. Patrick’s Parish, has been a member of the Parish at least one year, who is nineteen (19) years of age or older, and who has received the Sacraments of Baptism and Confirmation is eligible to serve as a member in one of the “Parishioner” seats of the School Board.
3. Vacancies and Resignations. The School Board President shall nominate a replacement and by a majority vote, The Board shall fill all vacant positions of elected members on the Board whenever such positions become vacant. The members appointed to fill the terms of vacant positions shall serve for the balance of the unexpired term of the person whose position was vacated.
4. Elections/Appointments. The Executive Committee, which consists of the Board President, Vice President and The Pastor of St. Patrick’s Parish, will make a recommendation for Board appointments in May.

1. Nominations. A call for applications for qualified persons in March each year. Applications will be due in April.

2. Selection. In April, all applications will be considered and recommendations will be made by the Executive Committee. These recommendations will come before the Board in May for approval. New members appointed to the Board will begin their terms in July.

E. Voting: Board Members shall not allow their votes to be unduly influenced by loyalty to the Pastor, Principal, by the seniority, position or reputations of other board members, by staff, or by donors.

7. Board Member Orientation. At the first meeting of the Board year, the School Board shall receive an orientation to the functions and roles of the board, as well as to the policies and procedures of Archbishop Bergan Catholic School.

8. Board Officers. The officers of the School Board shall consist of a President and a Vice-President. Each officer shall be elected annually, by the board membership, for a term of one (1) year. This election shall occur at a special meeting to be held just prior to the regular July meeting. The Bergan Principal or Chief Executive Officer/Pastor will preside at the special meeting. These two officers, along with the Pastor of St. Patrick’s Parish, make up the Executive Committee of the Board. The Secretary of the Board is an appointed position by the Chief Executive Officer/Pastor and is a non-voting appointment.

1. Duties of the President. The School Board President shall preside at all regular and special meetings of the School Board. The President shall perform such duties as may be directed by the School Board. The President will only vote on action items to break a tie vote.
2. Vice-President. The School Board Vice-President shall preside in the absence of the President. The Vice-President shall also perform other such duties as may be directed by the School Board.
3. Secretary. It shall be the duty of the Secretary to keep records of all meetings and board activities. These records should be readily available to School families, Parishioners, and Staff at the Parish/School office.

9. Board Member Meeting Attendance. Every member of the School Board shall be authorized no more than two (2) absences per year. (Exceptions may be made at the discretion of the Board for extenuating circumstances.) When a Board member has reached two (2) absences in a twelve-month period (extenuating circumstances not included), that member shall be removed from board membership and a new member shall be appointed to fill his/her vacancy according to the provisions of Section II.6.C of these bylaws. Prior to removal from membership, a Board member who has reached two absences may request, in writing, that the Board authorize his/her continued membership on the Board and give specific reasons why that membership should be continued.

10. School Board Meetings. The School Board shall meet regularly on the second Wednesday of every other month beginning with January at a publicly designated location. All meetings of the Board shall be open to guests unless the Board votes to move into Executive Session. There is to be no media coverage of School Board meetings.

1. Special Meetings. Special meetings of the Board may be called at the request of the Chief Executive Officer, Board President, or at the request of five (5) or more board members. Twenty-four (24) hours’ notice of the meeting and of the location for such meeting shall be required for all special meetings. Notice may be by electronic means.
2. Executive Session. The Board, by a majority vote of those present, may vote to go into Executive Session for such circumstances as the following:

1. Strategy sessions with respect to salaries, real estate purchases or litigation.

2. Discussion regarding deployment of security personnel or devices.

3. Investigative proceedings regarding allegations of criminal misconduct.

4. The protection or privacy and/or the prevention of needless injury to the

reputation of an individual or individuals.

5. Other items as may be determined by the Board or School Administration to be in the best interest of the School and/or Parish.

All formal actions of the Board shall be taken in open session. No action may be taken by the Board during an Executive Session. If formal action is required, based on the discussions that occur within an Executive Session, the Board shall vote to go out of the Executive Session and back into an open session prior to taking that action.

1. Emergency Meetings. If circumstances warrant, emergency meetings of the Board may be held without reasonable, advance notice of such meetings. In these circumstances, the nature of the emergency shall be stated in the meeting minutes and any formal action taken in such meetings shall pertain only to the emergency situation.
2. Notice of Meetings. Reasonable, advance notice of all regular meetings shall be given to the public, including but not limited to, Sycamore and school website. Reasonable notice shall be considered to be at least seventy-two (72) hours.
3. Quorum. For the purposes of transacting official business, it shall be necessary that a majority of voting members of the Board members be present.
4. Majority Votes. A simple majority of those present and voting at a meeting shall carry all motions unless otherwise specified in a specific policy.
5. Policy Changes. Policies may be adopted or changed at any regular or special meeting of the Board. A majority vote of the Board is required to approve all policy changes or additions. Policy changes require the approval of the Chief Executive Officer/Pastor of St. Patrick’s Parish in order to be fully adopted and implemented.
6. Rules of Order. In general, the Board will rule by consensus.
7. Board Meeting Agenda. The agenda for all Board meetings will be compiled prior to the scheduled, regular meeting by the Board President and School Principal. The agenda shall be sent to all authorized parties by the close of business on the Monday immediately prior to the regular, scheduled meeting. All requests for items to be placed on the agenda shall be made to the Principal or Board President prior to the required agenda due date.
8. Official Action. The decisions or actions of individual Board members are not binding upon the Board. An exception to this is when the Board, in an official meeting, has expressly given an individual or group of Board members authority to act on behalf of the Board. The Board shall exercise its powers only in properly-called meetings where a majority of the Board constitutes a legal quorum to transact business. All Board actions and decisions are subject to approval by the Chief Executive Officer/Pastor of St. Patrick’s Parish.

11. School Board Policies. The Board shall establish policiesto ensure the efficient and effective operation of Archbishop Bergan Catholic School. The Board shall ensure policies are available to St. Patrick’s Parish and the Board, Administration, faculty, students and parents of Archbishop Bergan Catholic School.

12. Board Policy Review. Student/Family and Early Childhood Education handbooks will be reviewed and approved annually. All Board policies, bylaws and administrative rules and regulations shall be submitted to the Board and reviewed annually.

13. Archdiocese of Omaha Catholic Schools Office. The Board and School Administration shall consult with the Superintendent of Catholic Schools on a regular basis to ensure that Archbishop Bergan Catholic School is fulfilling its religious and educational missions and that its curriculum and programs generally comport with other Catholic Schools in the Archdiocese of Omaha.

14. Personal Liability of Board Members. It shall be the policy of Archbishop Bergan Catholic School to ensure that St. Patrick’s Parish and/or Archbishop Bergan Catholic School provide the proper insurance to protect Board members and staff members against personal liability so that the Board and Administrative Staff may serve the school system without fear of such personal loss that might interfere with their freedom to govern as representatives of St. Patrick’s Parish. The law and courts provide that Board members are not immune from liability. Board members that go against the law or carry out acts in bad faith may be held individually liable for their share of possible judgment brought against them.

**SECTION III**

**School Personnel**

1. Archbishop Bergan Catholic School. The School Board, working in cooperation with the Chief Executive Officer of School shall ensure that adequate personnel are in place to provide for the routine and effective operations of the school system.

2. Administrative Functions. The Principal shall be authorized by the Board to perform all appropriate administrative functions necessary to ensure the routine and effective operations of Archbishop Bergan Catholic School.

3. Hiring of Staff. The Chief Executive Officer/Pastor of the School shall have final hiring and firing authority for all employee positions in the Archbishop Bergan Catholic School. The Principal will provide updates and notification regarding personnel changes, hires, and status of annual contract process to the Board on a regular basis.

4. Employee Salaries. The Board will provide input annually to the Finance Committee of St. Patrick’s parish related to faculty and staff salaries.

5. Hiring of Principal. When a vacancy occurs in the Principal position, the School Board President, or designee, may be present during interviews of potential candidates to fill the vacant Principal position. The Catholic Schools Offices shall be consulted regarding any protocol to be followed in the search for a new Principal. Following formal interviews, the Search Committee will meet with the Chief Executive Officer to make a formal recommendation regarding potential candidates to fill the vacant position. The Chief Executive Officer shall have final hiring and firing authority for the Principal position.

**SECTION IV**

**Students**

1. Student Requirements. School Administration shall have the authority to implement and enforce such student policies that will ensure the ongoing mission of Archbishop Bergan Catholic School as provided by the Board as well as compliance with all applicable State of Nebraska and Archdiocese of Omaha educational laws and regulations.

2. Student Handbook. School Administration, in cooperation with the School Board, shall be responsible for development of a Student/Family Handbook and Early Childhood Education Center Handbooks. The Student/Family Handbook is considered Board Policy. The Handbook shall include, but may not be limited to, a complete listing of all school and student policies, course and graduation requirements and shall be distributed. The Handbook will be reviewed and approved by the School Board each July before the start of the new school year. The Student/Family Handbook will also serve as the Activities Handbook for students and families.

3. Non-Discrimination. Archbishop Bergan Catholic School shall admit students of any race, color, ethnic or national origin. In addition, Archbishop Bergan Catholic School may admit students of any religion, provided that the parents and students of non-Catholic families understand and support the primary purpose of the school to provide a Catholic education to all of its students. Archbishop Bergan Catholic School shall not discriminate on the basis of race, color, ethnic or national origin in the administration of educational policies, admission policies, scholarship or loan programs, athletic activities, or any other school-related programs or activities.

4. Multicultural Education. Archbishop Bergan Catholic School shall utilize the resources of curriculum, in-service, counseling and guidance to reflect the racial, ethnic, language and cultural heritage of both the United States of America as well as the teachings of the Catholic Church, by observing the following objectives;

1. Selection of materials and methods that will eliminate bias and stereotype.
2. Conducting in-service programs for all employees that will assist them to understand and facilitate a multicultural approach to their positions and to reflect a multicultural approach in all teaching and administrative duties.
3. Ensuring that groupings of students do not reflect a racial, ethnic or cultural bias.

5. Special Education and Disabilities. Archbishop Bergan Catholic School recognizes the existence of Federal and State legislation and programs for disabled persons and shall allow no discrimination in the Bergan Catholic School System on the basis of a disability. Archbishop Bergan Catholic School will strive to maintain onsite programs for disabled students within the means of school resources.

6. Student Discipline. Positive student discipline is of the utmost importance in the proper functioning of a Christian education program. As a result, Archbishop Bergan Catholic School shall expect that discipline will prevail in each and every classroom at all times.

Archbishop Bergan Catholic School is a Christian Community with rules and regulations. Those who enjoy the rights and privileges provided by the school system must also accept the responsibilities that these privileges demand, including respect for and compliance with school rules. It shall be the responsibility of the School Administration to establish a rational position between freedom and sufficient order to permit the successful operation of the instructional and extracurricular programs of the school.

School Administration shall establish clearly defined procedures in conducting disciplinary measures and these procedures shall be carefully followed and administered by all Archbishop Bergan Catholic School staff members. Rules for student conduct and procedures for correcting misconduct shall be published on an annual basis in the Student/Family Handbook and distributed to all students and/or parents.

It is the expectation of the Archbishop Bergan Catholic School that effective student discipline should be positive rather than negative, and directed toward constructive activity. All discipline should be fair, dignified and exercised in Christian love.

The School Board recognizes that the implementation of rules and regulations regarding student discipline calls for sensitive and intelligent action on the part of all school administrative and staff members. It also recognizes that students should practice responsible behavior and understand the consequences of their conduct. As a result, it is to be understood that all Administration and staff members may, in the purpose of maintaining effective student discipline, expect to proceed with the full support of the Principal, the School Board and Pastor.

7. General School Policies and Procedures. It shall be the responsibility of the Archbishop Bergan Catholic School Administration to implement general rules and procedures for the routine operation of Archbishop Bergan Catholic School. These rules and procedures shall clearly state the position of Archbishop Bergan Catholic School with regard to those activities that are directly related to Early Childhood Education Center, Pre-K, Preschool through 12th Grade education within the School System.

School Administration shall establish clearly defined rules and policies for Archbishop Bergan Catholic School and these rules and policies shall be carefully followed and administered by all Archbishop Bergan Catholic School staff members. General rules and policies for Bergan Catholic School shall be published on an annual basis in the Student /Family Handbook and distributed to all students and/or parents. This handbook shall be updated each year and approved by the School Board.

All rules and policies developed by the Archbishop Bergan Catholic School Administration shall be subject to the approval of the Chief Executive Officer/Pastor.

**SECTION V**

**Instructional Programs**

1. Minimum Standards for Instructional Programs. All instructional programs offered at Archbishop Bergan Catholic School shall, as a minimum standard, meet all guidelines as set forth by the State of Nebraska Department of Education and National Catholic Standards, for primary and secondary educational institutions. In addition, all instructional programs shall meet the standards set forth by the Archdiocese of Omaha Catholic Schools Office.

2. Other Standards. Other accrediting agencies may be considered and accepted, in addition to the State and Archdiocese Departments of Education, if such agencies are deemed desirable and in the best interest of Archbishop Bergan Catholic School by school administrators, the School Board and the Pastor of St. Patrick’s Parish.

3. Religious Education. Archbishop Bergan Catholic School shall provide religious education as a required instructional program for every class within the school system. These programs shall provide ongoing instruction in the theology and practices of the Roman Catholic Church and shall also provide students and faculty with opportunities for routine participation in the Sacraments of the Holy Eucharist and Reconciliation.

Preparation for the Sacrament of Confirmation shall also be provided as part of routine instructional programming for students in grades that meet the age requirements for this sacrament as set forth by the Archdiocese of Omaha.

4. Required Classes and Graduation. The Administrative staff of Archbishop Bergan Catholic School shall develop a plan for which classes shall be considered “Core Classes” and “Non-core Classes” at every grade level. In addition, school administration shall recommend to the Board the criteria that shall be required for graduation from one grade level to another, and for graduation from Archbishop Bergan Catholic School in keeping with the mission and vision of the school. In determining these criteria, school administration shall use guidelines and criteria established by the Board, the Nebraska Board of Education and Archdiocese of Omaha Catholic Schools Office. This guidelines, criteria and requirements will be presented to the School Board for adoption and inclusion in the Student/Family Handbook and are subject to the approval of the Pastor of St. Patrick’s Parish.

**SECTION VI**

**Extracurricular Activities**

Extracurricular programs are those activities that are school-sponsored and are conducted outside of regular, educational course work. Archbishop Bergan Catholic School shall provide a variety of extracurricular activities for students, based on identified areas of interest of school students and families and within the available resources of the school system.

1. Sponsorship. All extracurricular activities provided by Archbishop Bergan Catholic School shall be carried out under the direct supervision and authority of Archbishop Bergan Catholic School. All activities of the school shall have a designated school sponsor who has been appointed to this position by school administration. Program sponsors shall be responsible for the following:

A. Proper supervision of students and activities.

B. Establishment of program guidelines.

C. Supervision of authorized funds for the activities including ensuring that proper financial records and meeting minutes are kept, when appropriate for the proper functioning of the activity.

D. Securing appropriate parental and/or other approval before beginning any activity.

E. Maintaining attendance and other records of student participation in the activity.

F. Ensuring compliance with school system rules and regulations during the activity.

2. Nebraska School Activities Association. All extracurricular activities that fall within the rules and regulations of the Nebraska State School Activities Association (NSAA) shall maintain compliance with all such regulations so long as Archbishop Bergan Catholic School is a member of the NSAA. This same rule shall apply to all other conferences and associations in which the school system may be a member.

**SECTION VII**

**Repeal of Previous Bylaws**

Upon adoption of these Bylaws of Archbishop Bergan Catholic School Board of Education, all previous editions and revisions of Bylaws of Archbishop Bergan Catholic School, are hereby repealed.

**SECTION VIII**

**Amendments**

These Bylaws may be amended upon the recommendation of a two-thirds (2/3) majority of the voting members of the Board to the Corporate Board (which shall have final approval) or by direct action of the Archbishop of Omaha.

**SECTION IX**

**Adoption of Bylaws**

These Bylaws of Archbishop Bergan Catholic School Board of Education are hereby adopted by official action of the Archbishop Bergan Catholic School Board of Education on July 12, 2017.

Fr. Walter Nolte

Pastor and President of Archbishop Bergan Catholic School

Tad Dinkins

Archbishop Bergan Catholic School Board President

Dan Koenig

Principal, Archbishop Bergan Catholic School

Approved by the Archbishop of Omaha, individually and on behalf of the Corporate Board of Directors.

Most Rev. George J. Lucas

Date