



Catholic Schools Handbook

SACCS

South Australian Commission for Catholic Schools

South Australian Commission for Catholic Schools 1985

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FOREWORD

I write to introduce the Catholic Schools Handbook which is being made available for use in our schools in 1985.

Our first school boards commenced in 1969 with guidelines that set out their responsibilities which were confined to financial management of schools. The response from school board members at that time was quite remarkable and their efforts helped our schools survive the very difficult times of the early 1970s. A set of guidelines was prepared for the boards at that time.

In 1974, a separate Handbook was prepared for use in our primary schools which offered guidance to school staffs, particularly at the primary level. There was some overlap between the Guidelines for School Boards and the information contained in the Handbook.

With the increasing involvement of parents in the running of our schools, the Guidelines for School Boards were modified in 1976 and a new School Board Manual was produced which encouraged school board members to become involved in wider educational policy-making in addition to undertaking the responsibility for financial management.

Again, with the increasing complexity of school operations great credit is due to school board members for their contributions to the running of our schools over the last decade.

The time is now right for the integration of the School Board Manual with the Primary Schools Handbook, to have one document which covers the main features of the operation of the school board and the day-to-day running of the school.

In addition, it is appropriate that the work of our school communities be put within the context of the overall mission of the Church. It has become absolutely vital that the participation of all members of the school community in the activities of the school be seen as part of Christ's work in our world.

Hence, the new Catholic Schools Handbook is in three sections.

Part One - A Guide for School Board Members - reflects the Commission for Catholic Schools' view of where the work of school board members should fit in with the mission of the Church.

Part Two covers, in large part, the previous advice that was provided by the Commission to teachers and the school community regarding the day to day functioning of the school. It has been upgraded to meet current needs.

The final section sets out the Commission's requirements in the area of financial management and hopefully provides adequate guidance to school boards, principals and treasurers regarding the important area of financial management.

On behalf of the SA Commission for Catholic Schools, I offer our sincere thanks to Brother Austin Stephens for the tremendous work that he has done in preparing the new Catholic Schools Handbook. I commend it to you.

Yours sincerely,



Danny Watson
Chairman,
SA Commission for
Catholic Schools

CONTENTS

Part One: Guide for school board members

Introduction		11
Chapter 1	Catholic schooling: context and structure	15
Chapter 2	What does a school board do?	23
Chapter 3	Goals of the Catholic school	28
Chapter 4	School board membership	29
Chapter 5	School board relationships	32
Chapter 6	Responsibilities for office-bearers	34
Chapter 7	Meetings and proceedings	38
Chapter 8	Committees	40
Chapter 9	Rules and regulations	40
Chapter 10	Staffing	41
Chapter 11	Enrolments	41
Chapter 12	Insurance	41
Chapter 13	Inservice	41
Chapter 14	Induction	42
Chapter 15	Winding up	42
Appendix I	Readings to clarify references in the Introduction	43
Appendix II	The family parents' education	48
Appendix III	Some reflection topics	52
Appendix IV	Policy formulation process	55
Appendix V	Government grants	58
References	Abbreviations in the text	60

**Part Two:
Policies and general information**

Chapter 1	The Catholic School	62
Chapter 2	The South Australian Commission for Catholic Schools	65
	- Charter,	65
	- Membership,	70
	- Administration,	73
	SACCS policy statement on Catholic Education for a Multicultural Society in Australia	75
	SACCS policy statement on Aboriginal Education in S.A. Catholic Schools	81
	SACCS policy statement on students with special needs in S.A. Catholic Schools	82
	SACCS policy statement on teachers' accreditation in Catholic schools	89
	SACCS policy statement on AIDS in Catholic schools	92
	SACCS guidelines on the four term year in S.A. Catholic Schools	110
Chapter 3	S A Catholic Education Offices Staffing 1989	113 114
Chapter 4	S.A Institute of Catholic Teacher Education	118
Chapter 5	Curriculum policies and programs	121
	- Religious Education,	122
	- Education: Early Childhood and Primary,	125
	- Pre-school Education,	126
	- Primary Education,	128
	- Primary School Sport(s),	132
	Commonwealth Programs for Schools	134
	- Disadvantaged Schools Program,	134
	- English as a Second Language,	135
	- Multicultural Education,	136
	- Special Education,	136
	- Special Education Referrals,	137
Chapter 6	Parents and the school board	137
	- Code of ethics for board members,	138
	- Standing orders for meetings,	139
	- Enrolments,	142
	- Procedures for fee re-assessment,	142
	- Refusal to pay fees	144
	- Application forms - For enrolment	145
	for pre-school enrolment	148
	for variation in fees	151

	SPECIAL NOTE	153
Chapter 7	Staffing and industrial documents	153
	- Appointments to staff,	155
	- Conditions of Employment—teachers,	157
	- Conditions of Employment—lay teachers in promotion positions,	163
	- Conditions of Employment—comments,	175
	- School Assistants,	179
	- Assessment of appointees to promotion positions,	186
	- Guidelines for school boards leave without pay,	191
	- Guidelines for compassionate and special leave,	194
	- Guidelines for employing staff,	196
	- Pro forma letters	204
Chapter 8	Pastoral care/supervision	210
	- Pastoral care John 13 35,	210
	- The duty of Care under Common Law,	210
	- Supervision,	210
	- Supervision before and after School,	211
	- Supervision in the classroom,	212
	- Supervision in the specialist rooms or during specialist lessons,	212
	- Supervision and the hot weather policy,	213
	- Supervision and the care of the sick students,	213
	- Supervision and first aid,	214
	- Supervision and infectious diseases	214
	- Supervision and Fire,	215
	Supervision and fire drill,	215
	Fire regulations,	216
	- Excursions and Fire,	217
	Procedures for Bushfire	
	Red Alert Days	218
	- Supervision and accidents to students,	220
	- Assault,	220
	- Self-defence,	220
	- Supervision and custody orders,	221
	- Supervision and authority over students	221
	going to and from school,	
	The school charter bus,,	222
	Parent's car,	222
	Students' use of cars,	223
	- Supervision and errands,	223
	- Supervision and excursions,	224
	- Consent forms,	225
	- Supervision and the obligations of a school property owner,	227
	- Child abuse,	228
	Notification,	229
	Resource agencies in Adelaide,	231
	- Equal opportunities Act - Application, for admission as a student	232
	- Work Experience insurance policy costs,	233
	- Copyright Act 1986	233

Part Three:
Financial administration

Chapter 1	Financial function	235
Chapter 2	Appointing an auditor	240
Chapter 3	Financial management - Sample budget,	242
Chapter 4	Investing school board funds	248
Chapter 5	Insurance	253
Chapter 6	Commonwealth capital grants - Procedures, - Master planning process, - Loan funds	258 261 263 267
Chapter 7	Schools Establishment Fund	268
Chapter 8	Room rent program	270

Editor's note

The Catholic Schools Handbook combines in the one publication the previous Handbook for Primary Schools and the School Board Manual. It comprises three parts, Part I, Guide for School Board Members; Part II, Policies and General Information concerning Catholic schooling; and Part III, The Financial Administration of the Catholic School.

The Handbook updates and replaces the previous publications and makes provision for constant reviewing of the policies and general information contained mainly in Parts II and III.

The Handbook has a complete Table of Contents for Parts I, II and III; the Guide for School Board Members (Part I of the Handbook) has its separate Table of Contents as well.

In general, Part II covers items such as the goals of Catholic schooling; the SA Commission for Catholic Schools (its nature, purpose and areas of responsibility); the Catholic Education Office (areas of involvement, personnel); the South Australian Institute for Catholic Teacher Education; curriculum policies and programs; a code of ethics and standing orders for school boards; procedures for fee re-assessment; staffing and industrial documents (appointments to staff and conditions of employment) and pastoral care supervision.

Part III details the financial management of the systemic Catholic school. It includes the school board's financial function, appointment of an auditor, investment of school board funds, insurance and guidelines for a diocesan school building project.

Each school receives two copies of the Catholic Schools Handbook; each school board member receives a copy of the Guide for School Board Members (Part I of the Catholic Schools Handbook).

Austin Stephens FMS
Adelaide CEO.

- Student Reports including marks, grades and comments
- Student Achievement Record or School Leaver Statement
- Accident or Injury Reports
- Work Experience Agreement Form
- Punishment Register
- Any guidance test results, advisory teacher's or psychologist's reports
- Any correspondence relating to the above.

8.4.3 If a student transfers to another school, copies of all information referred to in 8.4.2 should be kept.

8.5. STORAGE OF RECORDS

All student records should be kept in a safe place i.e. locked cupboard etc.

If records are stored on computer the computer should be locked or access barred.

9. CHILD ABUSE - GENERAL

All school personnel need to participate in the training course for mandated notifiers of suspected child abuse.

The Family and Community Services booklet *'Reporting Child Abuse - guidelines for those people required by law to report child abuse'* (1994) needs to be readily accessible to all school personnel.

9.1 INTRODUCTION

In 1976 the Community Welfare Act was amended to extend its provision for the protection of children. Teachers and other persons, including medical practitioners, nurses, dentists, police officers, child care workers and social workers are required by the Act to notify suspicions of child abuse to the Department of Family and Community Services (FACS). In November 1993, in matters of the protection of Children, the Community Welfare Act was replaced by the Children's Protection Act.

When school principals and teachers have suspicions of child abuse these guidelines are to help them carry out their obligations under the Act.

Schools are required to observe the agreed practices laid out in the *Interagency Guidelines in Child Protection*, Nov 1991. (distributed 1992)

necessary to retain a factual record or assist in the education or the pastoral care of students.

- 8.1.4 Schools are required to observe the requirements of confidentiality and access to information as detailed in the *Interagency Guidelines in Child Protection*, Nov. 1991.

8.2 CONFIDENTIALITY OF RECORDS

- 8.2.1 Student records are confidential to the individual student they relate to, parents of the student and those staff who need to know the information.
- 8.2.2 Confidentiality refers to all items in the records including addresses and telephone numbers.
- 8.2.3 There is a serious obligation on staff not to divulge any information in student records to any person not entitled to know that information.
- 8.2.4 It is permissible to use relevant parent information within the community for School or Parents and Friends' activities.

8.3 ACCESS TO RECORDS

- 8.3.1 While parents do not have an absolute legal right to access to their child's records it seems likely they could subpoena records if necessary. Parents should therefore be given access to their child's records on request.
- 8.3.2 The actual records remain the property of the school.
- 8.3.3 In cases where parents are separated both parents have access to their child's records except where a guardianship order exists. The ultimate decision about making information available rests with the principal. (See 8.2 above).

8.4 RETENTION OF RECORDS

- 8.4.1 All records relating to student progress at school, attendance, enrolment, accidents or injuries while at school should be retained until it is outside the time in which the school can be sued for negligence or breach of contract. The general rule is that such records should be retained until the student reaches twenty five years of age.

Records which do not relate to the above should be destroyed as soon as they cease to have relevance.

- 8.4.2 The following records should be retained:-

- Application for Enrolment Form
- Admission Register
- Roll Books

9.2 CHILDREN'S PROTECTION ACT

Under Section 11 (1) & (2) of the Children's Protection Act 1993 Principals, teachers and other school personnel (including volunteers) are obliged by law to notify the department of FACS if they suspect on reasonable ground that a child (ie. person under eighteen years of age) has been or is being abused or neglected

9.3 RECOGNITION OF ABUSE

The term 'abuse' refers to sexual, physical emotional abuse and neglect.

The following definitions are used by FACS in determining whether child abuse has occurred.

Physical abuse:	Any non accidental act inflicted upon a child which results in physical injury to the child.
Sexual abuse:	Any sexual behaviour imposed on a child.
Emotional abuse:	A chronic attitude or behaviour directed at a child, or, a creation of an emotional environment, which is detrimental to or impairs the child's psychological and/or physical development.
Neglect:	Neglect refers to any serious omission or commission by a person which jeopardises or impairs the child's psychological, intellectual or physical development.

9.4 NOTIFICATION OF CHILD ABUSE

It is important to remember that it is not the role of school personnel to prove that abuse occurred. It is the role of FACS to determine whether abuse occurred.

The Law requires school personnel to report suspicions of abuse. School personnel have reasonable grounds to suspect abuse and to contact FACS when

- a child tells you that he or she has been abused;
- someone else tells you (eg. sibling, relative, friend, neighbour, or acquaintance of the child) that a child has been abused;
- your own observations of the child's physical condition and/or behaviour lead you to suspect that the child has been abused;
- other circumstances lead you to suspect that a child has been abused.

If in doubt you are advised to consult with your local FACS Office.

Notifying suspected abuse can be the first step in helping both the abused child and the adult causing the abuse.

There is no civil liability for notifying in good faith a suspicion of abuse

There is a penalty of \$2,000 for failure to report.

9.5 NOTIFICATION PROCEDURES

To make a notification contact your local FACS district centre and ask to speak to the duty social worker concerning a child protection matter. Telephone numbers are in the alphabetical section of the white pages of the telephone directory under Family and Community Services (Dept of).

At weekend or after hours contact Crisis Care 131 611.

When making a notification you will be asked by the FACS social worker for the following information.

- the student's name, age and address
- your reason for suspecting that the injury or behaviour observed
- the current whereabouts of the student.
- what are the safety issues and what has been set in place for the student's safety.

The onus to notify FACS rests with the person who suspects abuse. It is recommended that school personnel advise the principal when making a FACS notification.

The Diocesan Director of Catholic Education shall be notified by the Principal.

Following the FACS investigation a number of interventions may occur, including, for example:

- counselling for the family and/or individual
- referral to other agencies
- emergency foster care to relieve the immediate stress on the family and remove the risk to the child
- the service of a parent aide (trained volunteer)
- practical assistance eg. help with housing, finance, child care
- an assessment that the student is safe and hence no further action.

In all cases of sexual abuse, serious physical abuse, or serious neglect, the Police and the Department for Family and Community Services consult to determine the respective roles of the two departments.

The Department of Family and Community Services gives child protection matters priority.

9.6 FURTHER INFORMATION

The social worker at the Catholic Education office can give you further information about child abuse. Note, however, that referring a suspected case of child abuse to an officer of the Catholic Education Office does not release a person from his/her obligation to report under the Children's Protection Act 1993.

**CHILD ABUSE – GUIDELINES TO ASSIST PRINCIPALS IN HANDLING
CHILD ABUSE COMPLAINTS AGAINST STAFF**

- 9 7.1 If an allegation of child abuse is made by a student, parent, or other person or the Principal suspects on reasonable grounds that a child has been maltreated or neglected by a staff member, then **the Principal must notify FACS of the complaint and enquire whether FACS will investigate the allegation. The Principal does not have to be able to prove that abuse has occurred.**

Because of the exacting legal requirements pertaining to all aspects of employment law eg. process, warnings, suspension and termination, advice should be sought from the Legal and Industrial Officer at the CEO before undertaking the procedures outlined in this document.

- 9 7.2 If FACS decides **not** to investigate the allegation but recommends that the Principal investigates the incident, then the Principal should:
- Determine whether there is sufficient evidence to justify an investigation of the allegation.
 - Determine whether the allegation is serious or trivial.
 - Determine whether the matter should be taken up with the employee or ignored.
- 9.7.3 If the matter is considered to be serious and is to be taken up with the employee then the Principal should arrange a meeting with the employee in accordance with the following steps:
- (The information provided to the employee below need NOT be in writing but must be documented)*
- The Principal should advise the employee that the topic of the meeting relates to an allegation of alleged misconduct by the employee to a child or children.
 - The Principal should inform the employee that the employee is entitled to be accompanied at the meeting by any union representative, solicitor or witness.
 - The Principal must inform the employee of the availability of supportive counselling services.
- 9 7.4 At the meeting the Principal should have an appropriate witness present as an observer and note-taker eg. Deputy Principal, CEO representative. The Principal must inform the employee of the nature of the allegations and inform the employee that an investigation will be carried out.

The employee must be given an opportunity to respond to the allegations, to offer an explanation, or to raise any other matters which the employee considers relevant.

9.7.5 If, in the interests of the safety and welfare of students, a Principal (or FACS or the Police) decides that it is appropriate for the employee to take leave (be suspended) from duties while an allegation of child abuse is investigated then:

- Such suspension shall be on full pay.
- The Principal shall advise the employee of the reasons why the decision has been made to suspend the employee but the Principal need only state that allegations of impropriety or inappropriate conduct have been made and that time is needed to conduct an investigation.

9.7.6 **Investigation**

A proper investigation of the allegations should be carried out. It is insufficient to merely rely on the fact that allegations have been made.

The investigation process must be carefully documented.

An investigation may include the following:

- Interviewing persons who may have (or should have) knowledge of the alleged misconduct;
- Assessing any relevant documentation;
- Assessing any other information available to you, or which can be obtained without unreasonable effort or delay.

Any investigation must be carried out promptly.

9.7.7 A further meeting of the same parties should be arranged following the Principal's investigation of the complaint. At this meeting the Principal must advise the employee whether the Principal believes there is substance to the allegations.

If **NOT** the employee must be advised that no further action will be taken. If the Principal believes that there is substance to the allegations then the Principal must inform the employee that the Principal has considered all matters raised at the interview including the employee's response. The Principal must then inform the employee of any action which the Principal intends to take.

9 7 8 If it is the Principal's view that the misconduct will require a **warning only** at this stage then:

- Detail the unsatisfactory conduct
- Detail the standards which need to be met and set a **review date** (eg. 1 term)
- State clearly that you are issuing a **warning**.
- Detail the potential consequences of failing to achieve the standards within the time frame **including termination of employment**.
- Remind the employee that any further misconduct of this nature will result in immediate dismissal.

The advice should be confirmed in writing and should also state that:

- the date and place of the meeting;
- that the employee was given an opportunity to be represented at the meeting;
- that the employee was given an opportunity to respond to the matters raised at the meeting;
- that the employee was provided with the opportunity to use Access counselling;
- that a formal warning is being issued.

9.7.9 A **review meeting** must be arranged. The employee is entitled to be accompanied at the review meeting by a witness of their choice.

If no further allegations inform employee that his/her conduct will be continually assessed. (The time frame is at the Principal's discretion but should be at least one term).

9 7.10 If it is the Principal's view after investigation that the allegations constitute serious misconduct then at the interview the employee should be told of the results of the investigation. Generally it will be appropriate to take some time to consider your decision due to the serious consequences of termination of employment. The Principal is not required to make a decision immediately. If the employee departs the premises, it is appropriate to advise the employee to return at a specific time (within 24 hours, or as soon as is reasonably possible) so that you can inform the employee of your decision.

In reaching your decision, it is necessary to ensure that any decision to terminate employment:

- is not harsh, unjust or unreasonable;
- does not include a prohibited reasons as one of the factors in reaching your decision eg. illness, union activities, filing a complaint against the employer, race, colour, sex, age etc.

If termination is to take place, the Principal must contact the Legal and Industrial Officer or the Co-ordinator of Human Resource Services at the CEO before undertaking the following procedures.

Termination should be confirmed in writing

The letter of advice should contain the following:

- confirm that the employee had an opportunity to be represented;
- confirm that the employee had an opportunity to respond to the allegations;
- note that you have considered all material, including the employee's response;
- advise that the employee's employment has been terminated and the reason (ie. serious misconduct);
- advise the date of termination.

As a dismissal for serious misconduct there is no obligation to provide notice. Payment should be made up until date of termination and payments for annual leave, leave loading, LSL should be paid. These payments must be clearly itemised.

9.7.11 Any allegations and any actions in relation to allegations must be carefully documented.

9.7.12 All allegations must be dealt with in a confidential manner.

PLEASE NOTE:

The above procedures should be read in conjunction with 'The Interview of Students' guidelines for schools.