

**CONSTITUTION OF THE  
DIOCESAN BOARD OF EDUCATION**

**DAVENPORT, IOWA**

ARTICLE I

Name, Purposes & Duties

Section 1. The Board of education is constituted by the Bishop of the Diocese of Davenport for the purpose of establishing policy to govern the educational programs of the Diocese subject to provisions of Canon Law, regulations of the Department of Education of the State of Iowa, and the laws of the State of Iowa. There is hereby established a Board, under the name of “Diocesan Board of Education”, having the purpose and the duties of governing all matters pertaining to education in the Diocese of Davenport. These shall be deemed to include Catholic Schooling (except college level) and all other formal educational activities, including all matters pertaining to the diocesan office of Education; the location, opening and closing of schools’ the location, opening and closing of catechetical centers; the determination as to whether schools or catechetical centers shall be operated in given locations; classes; teachers; salaries; educational, co-curricular and related programs; finances; standards of education; application of Christian principles to the educational programs; and all formal courses of religious education (except clergy education). All decisions of the Board of Education shall be binding upon the Coordinating Director of Education/Superintendent of Schools; all subordinate Boards of Education; and the pastors, principals and staffs of the schools and catechetical programs within the Diocesan system.

Section 2. Relationship to the Bishop. The Bishop of Davenport, under the Constitution, retains the right inherent in the teaching authority of his office to make sure that the purity of faith and morals are protected. This includes the right to demand that the Catholic school and the Religion Education program retain their characteristics as an educational institution operating under a Catholic philosophy of education. The Bishop of Davenport, under this Constitution, retains the right to veto any major policy passed by the Diocesan Board of Education if such policy violates any aspect of Canon Law.

ARTICLE II

Subordinate Constitutions

All subordinate boards and committees of education must operate according to a constitution approved by the Diocesan Board of Education.

ARTICLE III

Membership of Board

Section 1. Number and Composition. The Board of Education shall be geographically and numerically representative of the Catholic community. It shall include clergy and laity. It shall have representation of the religious orders serving the Diocese. The Board shall consist of 9 lay members, representing regions of the Diocese; the Bishop may appoint 2 priests and 1 women religious and three appointed by the Bishop.

Section 2. Election, Vacancies, Removal. The members of the Board shall be elected by a method to be established. Vacancies on the Board shall be filled in the same manner. Any member of the Board, other than an ex officio member, who is absent from two consecutive regular meetings of the Board shall, unless excuses by action of the Board, cease to be a member. Lay members of the Board of Education shall be elected by the deanery of the Diocese as follows:

|          |   |           |   |
|----------|---|-----------|---|
| Clinton  | 1 | Davenport | 2 |
| Grinnell | 1 | Iowa City | 2 |
| Keokuk   | 1 | Ottumwa   | 1 |

The Presbyteral Council through a poll of its membership shall elect priest members. The Sisters Council through a poll of its membership shall elect women religious.

Section 3. Tenure of Office. Each member shall hold office for the term of three years, provided, however, that in order that the terms may be staggered, and that one-third of the members of the Board may be elected in each year beginning three years from the date thereof, the initial terms shall be divided so that four members will have a term of five years, four members a term of four years and four members a term of three years. The present and future members of the Board shall hold office until successors are elected or until prior resignation or death or until prior disqualification by absence from two consecutive Board meetings not excused as aforesaid.

Section 4. Ex-Officio Membership. The Bishop of Davenport shall be an ex officio member of the Diocesan Board of Education. The Bishop is voting member and is counted as part of the quorum.

## ARTICLE IV

### Officers

Section 1. Creation of Officers. The officers of the Board shall consist of a President; President Elect, a Recording Secretary and such assistants and additional officers as the Board may elect.

Section 2. The Coordinating Director of Education/Superintendent of Schools shall be Executive Officer of the Board. Said officer shall be considered not a member of the Board. In Addition the Diocesan Curriculum and Media Coordinator shall serve as staff to the Board, but shall be considered not member.

Section 3. Election, Tenure, Vacancies and Removal. Officers shall be elected annually at the annual meeting of the Board designated for this purpose. They shall be from nominations submitted by a Nominating Committee, appointed by the President, and by any member from the floor; they shall hold office until the next annual election and thereafter until successors are duty elected and qualified.

Section 4. The President shall act as Chairman of the Board and of any executive committee; shall be the executive head of the Board; shall appoint all committees unless otherwise specified by the Board; shall execute on behalf of the Board all written instruments except as otherwise directed by the Board; shall be responsible for the agenda to be used at meetings; shall be responsible for reporting the actions of the Board to the Bishop of Davenport and in general shall perform all duties incident to the office of a President and such duties as from time to time may be assigned to him by the Board. The President shall also serve as a lay director of the civil corporation of the Bureau of Education.

Section 5. President Elect. The President elect shall be elected one year previous to his/her assuming the office of President and at the request of the President shall perform the duties and exercise the functions of the President and when so acting shall perform such other duties as delegated by the President. He/she shall complete the term of the President in case of death, incapacity, Wednesday, September 10, 1997 resignation or disqualification.

Section 6. Secretary. The Secretary shall keep the minutes of the meetings of the Board; shall see that all notices are fully given in accordance with the provisions of this constitution; shall be custodian of the record of the Board; is duly authorized and shall affix the seal of the Board to all documents, and attest to the authenticity of the copies of original documents; and in general, shall perform all duties incident to the office of the Secretary of the Board and such other duties as from time to time may be assigned by the President of the Board.

Section 7. Assistant Officers. The Assistant Officers shall have such duties as from time to time may be assigned to them by the Board or by the President.

## ARTICLE V

### Meetings

Section 1. Regular, Special and Annual Meetings. The Board shall meet quarterly subject to change by the Board itself or to postponement by the President. Special or additional regular meetings shall be held whenever called by the President or by a majority of the Board with the approval of the Bishop. The regular meeting held in the month of September in each year shall be designated the annual meeting for the purpose of election of officers and any annual report.

Section 2. Time, Place, and Notice. All meetings may be held at such times and places within or without the State as may be fixed by the President or by a majority of the Board upon not less than ten days' notice. Notice of the place, day and hour of all meetings must be delivered in writing. All meetings of the Diocesan Board of Education are to be open meetings unless designated as being Executive. Decisions made in Executive sessions must be presented and voted on at open sessions before becoming effective.

Section 3. Quorum. A majority of the entire Board is necessary for the transaction of business at meetings; and a majority vote of those present shall be sufficient for any decision or election. Mail/telephone/e-mail votes may be conducted if necessary, with the final decision being entered into the minutes of the next meeting.

Section 4. Rules of Procedure. The Board may fix itself on rules of procedure but in the absence of such, Robert's Rules of Order or another procedure of the Board's choice shall apply.

## ARTICLE VI

### Committees

Section 1. Executive Committee. The Board may provide for an Executive Committee of five (5) or more members, the President to be an ex officio member, and the other member or members to be elected by the Board and serve at the pleasure of the Board; the President is to be Chairperson thereof. During intervals between meetings of the Board, the Executive Committee may possess and execute all of the powers of the Board conferred in this constitution to the extent authorized by the resolution providing for the Executive Committee or by subsequent resolutions. All actions of the Executive Committee are subject to review by the entire Board and may be rescinded by a majority vote. The Executive Committee shall meet at the call of its Chairperson and shall fix its own rules or procedures and notices to be given of its meeting. Meetings of the Executive Committee shall be open meetings. A majority shall constitute a quorum.

Section 2. Other Committees. The Board may by resolution provide for such other committees as it deems advisable and may discontinue the same at its pleasure. Each entity shall such powers and shall perform such duties as may be assigned to it by the Board and shall be appointed and vacancies filled in the manner determined by the Board. In the absence of the other direction, the President shall appoint all committees with the Approval of the Board. Each entity shall be appointed and vacancies filled in the manner determined by the Board. There shall be two regular committees of the Board, namely, the SCHOOL COMMITTEE and the RELIGIOUS EDUCATION COMMITTEE. They shall meet four times a year on alternate months from the regular meetings. Chairman of the School Committee will be the President of the Board and Chairman of the Religious Education Committee will be the president-elect of the Board.

## ARTICLE VII

### Office of Total Catholic Education

Section 1. Constitution, Staff, Appointments. There shall be such office concerned with Total Catholic education established by the Bishop. The Coordinating Director of Education and Superintendent of Schools shall serve as the executive officer of the Board of Education. The Director shall have such compensation and terms of employment as determined by the Bishop. In the case of a priest/religious Director the compensation shall be comparable to that received by other priests/religious within the Diocese. Other staff members shall have such compensation and other terms of employment as set forth in the Diocesan employment guidelines.

Section 2. Duties and Powers. The Coordinating Director of Education/Superintendent of Schools shall be responsible to the Bishop. He/she shall have immediate charge, control of the general administration, and supervision of all formal education within the diocese (except college level programs and clergy education).

## ARTICLE VIII

### Seal

Section 1. Seal. The Board's Seal shall be the seal, an impression of which appears on the margin hereof.

## ARTICLE IX

### Amendment of Constitution

Section 1. Amendment. This Constitution may be amended, supplemented or repealed in whole or part at any time by a two-thirds vote of all the membership of the Board only after the amendment or amendments have been proposed at a prior meeting of the Board.

Section 2. Notification. All amendments brought before the Board are to be submitted to the Board in writing at least thirty (30) days before a vote is taken.

**Promulgation of the Constitution of the Diocesan Board of Education**

Be it known to all concerned that I hereby formally delegate the powers stated in this document subject to the provisions stated in Article I, Section 2. Be it known that it is my will that this document be officially promulgated.

IN WITNESS WHEREOF we have hereunto subscribed our names on this \_\_\_\_\_ day of \_\_\_\_\_, 1997, to the constitution of the Davenport Diocesan Board of Education.

OFFICIAL SIGNATURES

(Most Rev.) William E. Franklin  
Bishop of Davenport

\_\_\_\_\_, President  
Diocesan Board of Education

\_\_\_\_\_, President Elect  
Diocesan Board of Education

\_\_\_\_\_, Secretary  
Diocesan Board of Education

Adopted/Updated March 9, 1972  
Updated September 14, 1993

Revised/Updated August 1997  
Approved  
September  
Board of Education Meeting