

ST. JEROME'S
UNIVERSITY



St. Jerome's University

Bylaw

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ARTICLE 1 – INTERPRETATION

1.1 Definitions

In this bylaw and all other bylaws and resolutions of the University, unless the context otherwise requires:

1. “Academic Year” shall mean July 1 through June 30 of the following year.
2. “Act” means the *St. Jerome’s University Act, 2000, S.O, 2000, c. Pr34*;
3. “Board” means the Board of Governors of the University;
4. “Bylaw” means this bylaw and all other bylaws of the University from time to time in force and effect;
5. “Chair” means the chairperson of the Board appointed by the Board from time to time in accordance with the Bylaw;
6. “External member” means a member of the Board who is not employed by the University, and for greater certainty includes the Chancellor, the Past Chair (if any), the Episcopal Delegate, the Provincial Superior of the Congregation of the Resurrection in Ontario or the delegate of the Provincial Superior, the Student member and Members at Large;
7. “Faculty” means anyone employed at the rank of Assistant Professor, Associate Professor, Professor, Assistant Librarian, Associate Librarian, Librarian, or Lecturer, in a probationary, continuing, tenure-track, or tenured appointment;
8. “Financial Year” shall mean May 1 through April 30 of the following year;
9. “Graduate” means a person who is a graduate, pursuant to the provisions of section 7(2)6. of the *Act*, being a person who has obtained a degree from or through the University of Waterloo and, as a student, participated in the life of the St. Jerome’s University community (e.g., co-registered in the Faculty of Arts, served in a student leadership role at St. Jerome’s, lived in residence for at least two terms, or participated in campus ministry).
10. “Internal member” means a member of the Board who is employed by the University, and for greater certainty includes the President, the Vice President of the University (if any), faculty members, and staff members;
11. “Meeting of members” means an annual meeting of members of the Board or a general meeting of members of the Board;
12. “member” or “Member” means a member of the Board;
13. “Members at Large” means persons who meet the guidelines set out in the Board’s membership policy;

14. "Past-Chair" means the most recently retired Chair;
15. "Staff" means the persons employed by the University on a regular full-time continuing basis who are not faculty;
16. "Student" means any student who is co-registered in Arts at St. Jerome's University, has lived in a St. Jerome's University residence for at least two terms, served in a student leadership role at St. Jerome's, or has participated in the St. Jerome's University community.
17. "University" means St. Jerome's University.

1.2 Interpretation

This Bylaw, unless the context otherwise requires, shall be construed and interpreted in accordance with the following:

- (a) words importing the singular number include the plural and vice versa; words importing any gender include all genders; words importing persons include individuals, corporations, partnerships, trusts and unincorporated organizations;
- (b) the division of this Bylaw into Articles and Sections, and the insertion of headings are for convenience of reference only and shall not affect the construction or interpretation here of;
- (c) in the event of any dispute, the intent or meaning of any word shall be that given to it by the Board, and
- (d) any reference in this Bylaw to any statute shall, unless otherwise expressly stated, be deemed a reference to such statute as the same may from time to time be amended, restated, re-enacted or replaced.

ARTICLE 2 – BUSINESS OF THE UNIVERSITY

2.1 Head Office

The University Campus is located at 290 Westmount Road, Waterloo, Ontario, N2L 3G3.

2.2 Corporate Seal

The corporate seal of St. Jerome's University and the Board of Governors, until changed, shall be in the form impressed in the margin hereof. It shall be in the custody of the Secretary of the Board or such other person as the Board may from time to time designate.

2.3 Financial Year

The financial year of St. Jerome's University shall commence May 1st each year and end April 30th of the following year until otherwise changed by resolution of the Board.

2.4 Execution of Instruments

Contracts, documents or instruments in writing pursuant to decisions of the Board requiring execution on behalf of the University shall be signed by and executed in accordance with the Board's policy on Banking and Financial transactions. All contracts, documents and instruments in writing so signed shall be binding upon the University without further authorization or formality. The University's corporate seal shall, when required, be affixed to such signed contracts, documents or other instruments by any officer of the University.

2.5 Banking and Borrowing Arrangements

The banking and borrowing affairs of the University shall be transacted with such banks, trust companies or other financial institutions as may from time to time be designated by or under the authority of the Board. Banking and borrowing business or any part of it shall be transacted under the agreements, instructions and delegations of powers as the Board may from time to time prescribe or authorize.

2.6 Investments

The management of investment of funds under the control of the University shall be undertaken in accordance with applicable law and otherwise in accordance with any Bylaw and/or policies which may be approved by the Board from time to time.

2.7 Soliciting Donations and Grants

The Board may, on behalf of the University, solicit and receive donations, bequests, legacies and grants, and enter into agreements, contracts and undertakings incidental thereto.

2.8 Acquiring Personal Property

The Board may, on behalf of the University, from time to time, acquire by purchase, contract, donation, legacy, gift, grant, bequest, or otherwise, any personal property and may enter into and carry out any agreements, contracts or undertakings incidental thereto, and may sell, dispose of and convey the same, or any part thereof, as may be considered advisable and may make, execute and deliver under the corporate seal any and all instruments in writing necessary or proper for such sale, disposal, or conveyance. Only persons authorized by the University may issue receipts for property received by the University.

2.9 Holding and Disposing of Real Property

The Board may, on behalf of the University, from time to time, acquire by purchase, lease, devise, gift, or otherwise, any real property and may hold such real property or interest therein necessary

for the actual use and occupation of the University or for carrying out its objects, and, when no longer so necessary, to sell, dispose of and convey the same or any part thereof.

2.10 Power to Sue and Compromise Claims

The Board may, on behalf of the University, demand and compel payment of all sums of money and claims to any real or personal property in which the University may have an interest and to compromise any such claims, and generally to sue and be sued in the name of the University.

2.11 Facsimile Signatures

The signature of any member of the Board or officer may be printed, engraved, or otherwise mechanically reproduced in facsimile under such conditions as the Board may authorize and such signature shall have the same force and effect as if signed in the handwriting of such member or officer.

2.12 Canon Law and Ex Corde Ecclesiae

In exercising the powers set out in this Article 2, the Board shall conform to the requirements of Canon Law and Ex Corde Ecclesiae (Appendix A).

ARTICLE 3 – BOARD OF GOVERNORS

3.1 Board Composition – Statutory Requirements

In compliance with the *Act*, the Board shall include the following:

- (a) the President of the University;
- (b) Members at Large to a maximum of twelve (12);
- (c) the Vice President of the University (if any);
- (d) the Provincial Superior of the Congregation of the Resurrection in Ontario or the delegate of the Provincial Superior;
- (e) at least one person who is a member of the faculty and holds a professorial rank;
- (f) at least one person who is a member of the staff;
- (g) at least one person who is a graduate.

3.2 Board Composition – Membership by Office

The Board shall include as members those who hold the following offices:

- (a) the Episcopal Delegate;
- (b) the Chancellor;
- (c) the Past Chair.

In respect of the Past Chair, the Past-Chair shall serve a one-year term as Past Chair before retiring from the Board.

3.3 Board Composition – Additional Members

The Board shall include such other members as shall be appointed by the Board, up to a maximum of twenty-two (22) Board members in the aggregate except in years where there is a Past Chair then the maximum number of Board members shall be twenty-three (23) in the aggregate. The additional Board members shall, subject to the other qualifications in this Article 3, be elected from the following designated groups:

- (a) Faculty Members: provided that there are no more than two full-time faculty members on the Board at any time;
- (b) Student Members: provided that there is no more than one student member, who must be in excellent or good academic standing in their Faculty as defined by the Academic Calendar.
- (c) Members at Large – to a maximum of 12.

3.4 Removal of a Member of the Board

The Board may, by resolution, remove any member of the Board, before the expiration of their term of office if, in the opinion of the Board, expressed by a majority of the members of the Board in office, the person consistently fails to perform the duties reasonably requested of a member of the Board. The Board may in such circumstances, by majority vote at that meeting, appoint any person in their stead for the remainder of the term. Notwithstanding the forgoing, the right of the Board to remove a member shall not apply to the President, Vice President of the University (if any), the Provincial Superior of the Congregation of the Resurrection in Ontario or the delegate of the Provincial Superior, the Episcopal Delegate or the Chancellor, none of whom shall not be subject to same.

3.5 Termination

A person who is a member of the Board shall cease to be a member of the Board in the event:

- (a) the person is disqualified from being a member of the Board by operation of law;
- (b) the person, by notice in writing to the University, resigns their office (which resignation shall be effective at the time it is received by the Chair of the Board or otherwise in accordance with its term, whichever is later);
- (c) the person is removed as a member of the Board by resolution of the Board as provided in Article 3.3; or
- (d) a member of the Board ceases to hold the office, or ceases to hold the qualifications, designation or position referred to in Section 3.1 and 3.2 above, by virtue of which they had been appointed as a member of the Board.

3.6 Term of Office and Vacancies

- (a) Members of the Board who are, faculty members, staff members, graduates, and members at large, shall be appointed for a term of three years, unless otherwise designated but subject to earlier termination as provided for herein.
- (b) A vacancy on the Board, how-so-ever caused, may be filled for the remainder of its term, either by the members of the Board at a meeting called for the purpose or at the next annual meeting of members of the Board at which members are appointed and the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed, as the case may be.

3.7 Rotation

- (a) Despite what is provided for in Section 3.4, the term of a member who is referred to in section 3.4 shall commence immediately subsequent to the termination of the meeting of members at which they are elected or appointed until the first, second or third annual meeting following the meeting of members at which they are elected or appointed (for clarity a member's term of office shall be for one, two or three years, as specified on the date of each member's election) or until their successors shall have been duly elected or appointed whichever comes first.
- (b) At every annual general meeting there shall be elected that number of members as is required to fill the offices of: (i) members' whose term in office is ending; and (ii) the offices of retiring members on a show of hands unless a poll is demanded and if a poll is demanded such election shall be by ballot.

3.8 Committees – General

The Board may from time to time appoint and constitute such committees as it deems necessary to assist the Board in carrying out its obligations and shall prescribe the duties and responsibilities of any such Committees. No committee shall have the power to act independently for or on behalf of the University or otherwise commit or bind the University to any course of action. Committees of the Board shall have only those powers constituted in them by the Board and to make recommendations to the Board. Such Committees may include but are not limited to the following:

- (a) Executive Committee
- (b) Governance Committee
- (c) Finance Committee
- (d) Audit Committee
- (e) Mission Committee
- (f) *Ad Hoc* Committee (as required)

Committees may permit resource and other persons to attend committee meetings on a continuing or on a topic-specific basis from time to time to provide information or advice provided that such persons are non-voting participants at the committee.

3.9 Board Policies

The Board shall be entitled to establish policies and procedures from time to time in respect of all matters referred to in this Bylaw or within the power and purview of the Board as permitted by the Act or any other applicable law. All such policies and procedures shall be reduced to writing and all current policies and procedures shall be maintained by the Secretary in a policies and procedures manual available for review and copying by any member at all reasonable times.

ARTICLE 4 – MEETINGS OF BOARD OF GOVERNORS

4.1 Meetings of the Board

There shall be at least four (4) meetings of the Board each year, one of which shall be the annual general meeting.

4.2 Calling Meetings

Meetings of the Board may be formally called by the Chair, the President (Vice Chancellor) of the University, or by the Secretary on the direction in writing of not less than one-third of the members on the Board.

4.3 Notice of Meetings

Notice in writing of the time and place of each meeting shall be given to each member of the Board no less than seven (7) days before the time the meeting is to be held. No notice of a meeting shall be necessary if all the members are present or if those absent waive notice of, or otherwise signify their consent, to such meeting being held. A copy of any resolution of the Board so fixing the place and time of a meeting of the Board shall be sent to each member of the Board forthwith after being passed, but no other notice shall be required for any such meeting. The Board shall be entitled at any meeting duly called and held to set future Board meeting dates of not more than twelve (12) months in advance.

The agenda for the meeting shall be prepared by the Chair of the Board. For all Board meetings the agenda, minutes of the previous Board meeting, and all reports and other materials to be considered, shall be sent to the members at least seven (7) days before the time when the meeting is to be held.

4.4 First Meeting of New Board

Provided a quorum of the Board is present, each newly elected or appointed Board may without notice hold its first meeting immediately following the meeting at which such Board was elected or appointed.

4.5 Place of Meetings

Except as otherwise required by law, meetings of the Board shall be held at the University, or at such place or places as the Board from time to time may determine.

4.6 Attendance

Members are encouraged to attend Board in person; however, where attendance is not possible, Board members may attend meetings by teleconference or other electronic communication facilities, as shall permit all individuals participating in the meeting to communicate. A member's absence from three consecutive regular or special meetings of the Board will result in their loss of membership on the Board unless otherwise excused by the Board.

4.7 Quorum

A majority of the Board constitutes a quorum provided that at every meeting of the Board and every committee meeting identified in Section 3.8 (a) through (f) there shall be both internal and external members present such that the majority of those in attendance are external members.

4.8 Persons Entitled to be Present

Board meetings shall be open to the public and prior notice of the meetings shall be given to the public by posting such notice to the website of the University not less than three (3) days prior to the date of such meeting or by providing notice to the public in such other manner as the Board may determine from time to time, provided that a meeting or part thereof may be held *in camera* where: (a) matters discussed may be deemed to be confidential, including, but not limited to, matters whose disclosure would adversely affect the University, or business, professional or personal reputation of persons, or (b) matters of a personal nature concerning an individual may be disclosed at a meeting, unless the individual concerned requests that such meeting or part thereof be open to the public.

4.9 Votes to Govern

All questions at a meeting of the Board shall be decided by a majority of the votes cast. Voting may be a show of hands unless a ballot is demanded by any Board member. The Chair shall not vote on any Board matter except in the event of any equality of votes in which case the Chair of the meeting shall cast the deciding vote. A declaration by the Chair that a resolution has been carried and an entry to that effect in the minutes shall be *prima facie* evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against such resolution. No member of the Board may vote by proxy at any meeting of the Board.

4.10 Errors in Notice

The inadvertent failure to give notice of a meeting to any Board member, or any inadvertent irregularity in connection with the giving of notice, shall not invalidate the proceedings at the relevant meeting.

4.11 Delegated Authority

The Board may from time to time delegate any of the powers of the Board, subject to compliance with applicable law and subject to the restrictions, if any, contained in the Bylaw or imposed from time to time by the Board.

Where the University is required to take action at a time and in circumstances when a Board meeting cannot be reasonably convened, the Chair in consultation with the Executive Committee, may take such action as is reasonably necessary in the circumstances, until such time as a meeting of the Board can be convened, and any such actions shall be reported to the Board as soon as is practical.

4.12 Remuneration

The Board members shall serve without remuneration and no member shall directly or indirectly receive any profit from their position as member of the Board. For clarity this shall not apply to remuneration received by a member solely as a result of their employment at the University.

4.13 Expenses

The members of the Board, officers and employees, shall be entitled to be reimbursed for reasonable out-of-pocket expenses properly incurred by them in performance of their duties as members of the Board, in accordance with any policy of the Board governing expense reimbursement in effect at such time.

4.14 Validity of Actions

No act or proceeding by any member of the Board or the Board shall be deemed invalid or ineffective by reasons of the subsequent ascertainment of any irregularity in regard to such act or proceeding or the qualifications of such member or the Board.

4.15 Minutes

The Bylaw and minutes of the Board of Governors shall be open to examination by members of the University community and by the public-at-large. Minutes kept from *in camera* sessions of meetings shall be maintained separately, clearly marked “confidential”, and shall only be open to Board members. Minutes of meetings will be recorded in accordance with the University policy on Minute Taking and Agenda Preparation.

ARTICLE 5 – SENATE

5.1 Senate

Except where there is an agreement of federation of affiliation with any other university, there shall be established a Senate of the University in accordance with the *Act*.

5.2 Senate Council

In the absence of a Senate as described above, the Board may establish a Senate Council to advise and make recommendations to the Board in respect of the matters described in subsection 17(1) of the *Act* to the extent that such matters have not be transferred to the senate of a federated or affiliated University. Notwithstanding the establishment of any such Senate Council, and

notwithstanding any recommendations of such Senate Council, the powers and duties referred to in subsection 17(1) of the *Act* shall be exercised by the Board in accordance with subsection 17(2) of the *Act*.

ARTICLE 6 – OFFICERS

6.1 Officers

The Board shall appoint, from among eligible members, a Chair of the Board, and a Vice-Chair of the Board. The Board may appoint such other officers as it shall deem necessary, who shall have such authority and shall perform such duties as may from time to time be prescribed by the Board. Each officer shall hold office until removed by the Board or until their successor is appointed.

The President (Vice Chancellor) who also shall serve as the Secretary to the Board shall be appointed in accordance with Article 7.

6.2 Duties of Officers that may be Delegated

In the case of the absence, or inability to act, of any officer of the Board, with the exception of the President (Vice Chancellor), or for any other reason that the Board may deem sufficient, the Board may delegate all or any of the powers of any such officer to any other officer or to any member of the Board for the time being. In the case of the absence, or inability to act of the President (Vice Chancellor), or for any other reason that the Board may deem sufficient, the Board may appoint an acting or interim President (Vice Chancellor) from within the University.

6.3 Powers and Duties

All officers shall have and perform all powers and duties incidental to their respective offices and such other powers and duties respectively as may from time to time be assigned to them by the Board.

(a) Chair of the Board

- i. The Chair shall be elected from among the Members at Large of the Board for a two-year term and is eligible for re-election to one additional two-year term to a maximum of four continuous years.
- ii. Following the election, the Chair will be appointed by the Board. The results shall be confirmed by appointment of the Board.
- iii. The Chair shall perform any or all duties customarily borne by a Chair of a corporation such as the University as well as such other duties as may be assigned to the position by the Board as described in the policy outlining the roles and responsibilities of the Chair of the Board of Governors published by the Board from time to time.

(b) Vice Chair

- i. The Vice Chair shall be elected from among the Members at Large of the Board for a two-year term and is eligible for re-election to one additional two-year term to a maximum of four continuous years.

- ii. Following the election, the Vice Chair shall be appointed by the Board. The results shall be confirmed by appointment of the Board.
 - iii. In the event of a temporary vacancy in the office of Chair, the Vice-Chair shall act as and have all the powers of the Chair, as described in the policy outlining the roles and responsibilities of the Chair of the Board of Governors published by the Board from time to time.
 - iv. In the case of the absence or illness of the Chair and of the Vice Chair, the Board may appoint one of its external members to act as Chair on a temporary basis and the member so appointed shall act as and have all the powers of the Chair.
- (c) President (Vice Chancellor)
- i. The President (Vice Chancellor) is the chief executive officer of the University and has supervision over and direction of the academic work and general administration of the University, faculty, staff, and students. The President (Vice Chancellor) shall perform any or all duties customarily borne by a president of a corporation such as the University, as well as such other duties as may be assigned to the position by the Board.
 - ii. The President (Vice Chancellor) of the University shall be a Roman Catholic who demonstrates in their public and private lives that they are committed to the objects of the University as set out in section 3 of the *Act* and the University Mission Statement.
- (d) Secretary
- i. The President (Vice Chancellor) shall serve as Secretary to the Board and shall give or cause to be given notices for all meetings of the Board, its committees, if any, when directed to do so and shall have charge of the corporate seal of the University, the minute books of the University and of the documents and registers.
 - ii. The Secretary shall be appointed by the Board of Governors in such manner as is provided by Bylaw from time to time and for such term or terms as shall be determined, from time to time, by the Board of Governors.

ARTICLE 7 – THE PRESIDENT

7.1 President – Term of Office

The President (Vice Chancellor) shall be appointed by the Board for such terms as shall be determined, from time to time, by the Board. The Board may in either the absence or vacancy of the President (Vice Chancellor) appoint an acting or interim President (Vice Chancellor) upon such terms and conditions as the Board may prescribe.

7.2 Mandate

The Board shall, at least, twelve (12) months prior to the expiration of the then President (Vice Chancellor)'s term, establish the mandate for the next President (Vice Chancellor)'s term. In preparing the mandate, the Board shall solicit the views of members of the Board, the Senior Administration, the faculty members, the staff members, students and graduate members.

7.3 Establishment of Nominating Committee

- (a) Following the establishment of a mandate, the Board shall constitute a search committee, which search committee shall be an ad hoc committee of the Board and designated as the "Nominating Committee". The Nominating Committee shall be charged with recommending to the Board one individual to serve as the President (Vice Chancellor) of the University. The Nominating Committee, and the process it undertakes, shall follow the mandate established by the Board and any additional directives, policies, procedures or considerations the Board may provide. The Nominating Committee shall consult with the faculty, staff, students, administration, Board and any other constituencies that the Committee deems appropriate to make such recommendations.
- (b) The Board shall constitute the Nominating Committee at least twelve (12) months prior to the expiration of the then current President (Vice Chancellor)'s term of office. The Nominating Committee shall make its recommendation to the Board no later than three (3) months prior to the commencement of the next President (Vice Chancellor)'s term. The Nominating Committee membership shall consist of the Chair of the Board who shall also be the Chair of the Nominating Committee; two external members of the Board, two members of the faculty, at least one of who has tenure, one member of the staff, one student and one graduate board member. Once the Nominating Committee has been constituted, the Executive Assistant to the Board on behalf of the Chair of the Nominating Committee shall inform the community and the public of its membership.
- (c) Should the Board determine that the services of an executive search consultant be required to make recommendations to the Board with respect to the incumbent President (Vice Chancellor) or otherwise in respect of a new President (Vice Chancellor), the Board shall request that the Human Resources department secure proposals for such services. The procurement of the Executive Search Consultant will be undertaken within the guidelines and policies of the University in alignment with the Executive Search and Human Resources best practices.

7.4 The Search Process

- (a) The Nominating Committee shall, with the prior knowledge of the incumbent President (Vice Chancellor) solicit the opinion of the University community as a whole with respect to the reappointment of the incumbent President (Vice Chancellor) for an additional term of office. The Nominating Committee shall prepare a confidential report, including a summary of its findings and a recommendation to the Board with respect to whether the incumbent President (Vice Chancellor) should be appointed for an additional term of

office. Such report shall be prepared no later than three (3) months following the establishment of the Nominating Committee.

- (b) The incumbent President (Vice Chancellor) shall be informed by the Chair of the Nominating Committee as to the nature of the report's findings and its recommendation. The Chair shall determine the incumbent President (Vice Chancellor)'s willingness to accept reappointment for an additional term, and whether they do not wish to be considered for reappointment the report of the Committee shall not be submitted to the Board. Where the incumbent President (Vice Chancellor) is willing to be reappointed for an additional term, the Board shall be provided with a copy of the report and the Board shall review and consider the report. If the Board resolves to offer reappointment to the incumbent President (Vice Chancellor) and contractual arrangements have been satisfactorily concluded, the Chair of the Nominating Committee shall then duly inform the members of the University community and the public of the decision of the Board to reappoint the incumbent.
- (c) Where the Board decides not to reappoint the incumbent President (Vice Chancellor), the Chair of the Nominating Committee shall inform such person of the decision, on a confidential basis, and shall inform such person as to the nature of the objections to their reappointment. The Chair of the Nominating Committee shall also inform the University community and the public of the initiation of the search for a new President (Vice Chancellor). If they wish to do so, the incumbent President (Vice Chancellor) may declare oneself an applicant for the Nominating Committee's consideration.
- (d) Where the Board determines not to reappoint the incumbent President (Vice Chancellor), or where such person does not wish to be considered for reappointment, the Board shall instruct the Nominating Committee to initiate a search process. Thereafter the Nominating Committee shall draft a position profile, which it shall present to the Board for approval. The Nominating Committee shall invite or arrange for nominations, by whatever means it considers appropriate, from any person or group; advertise the position; establish criteria against which nominations and applications may be measured.
- (e) Any nominations must include a letter of application from the nominee. Any member of the Nominating Committee who applies for the President (Vice Chancellor)'s position shall resign from the Nominating Committee immediately. In such cases the vacated position shall be filled by an individual who conforms to the original appointment.
- (f) The Nominating Committee shall undertake a closed search with the directive to work from the applicant pool to eliminate less-suitable applications and to prepare a "short list" of candidates to be considered. Once the short list has been established, the Bishop of the Diocese of Hamilton shall be invited to review the short list and to raise any concerns he may have about the suitability of any candidate on the short list. In the event that the Bishop should raise any serious concerns about any of the short-listed candidates, before the Nominating Committee makes its final determination, the candidate(s) shall be entitled to respond directly to the Bishop to address each and every concern identified by him.

- (g) The Nominating Committee shall make its final recommendation to the Board. The Board shall by resolution select and then appoint a President (Vice Chancellor) or further instruct the Nominating Committee. The Chair shall arrange to inform the unsuccessful candidate(s) of the Board's decision. The Chair shall announce the new President (Vice Chancellor) to the University community and the public, only after the appointment has been accepted by the successful candidate and contractual arrangements have satisfactorily concluded.

ARTICLE 8 – THE CHANCELLOR

8.1 The Chancellor

The Chancellor of the University shall be a Roman Catholic who demonstrates in their public and private lives that they are committed to the objects of the University as set out in section 3 of the Act and the University Mission Statement.

8.2 Chancellor – Term of Office

The term of office of the Chancellor shall be four years and they may be reappointed for one additional term that shall not exceed four years.

8.3 Chancellor – Appointment and Reappointment

The Executive Committee shall have the responsibility to search for identify and recommend to the Board Chair a Chancellor. The Executive Committee shall first determine the willingness of the incumbent Chancellor to serve an additional term, in the event the incumbent Chancellor is eligible. In the event the incumbent Chancellor is willing to accept reappointment the Executive Committee will recommend the reappointment to the Board. In the event the incumbent Chancellor is not eligible or willing, or the Board does not accept the recommendation of Executive Committee to reappoint the incumbent Chancellor, the Executive Committee shall conduct a search for a new Chancellor in such manner as the Executive Committee shall determine. Following the choice by the Executive Committee of an appropriate candidate the Executive Committee shall make such recommendation to the Board. In the event any such recommendation is not accepted by the Board the Executive Committee shall again search for an appropriate candidate and continue such process until such time as the Board approves the candidate so proposed.

ARTICLE 9 – PROTECTION OF BOARD MEMBERS AND OFFICERS

9.1 Limitation of Liability

No Board member or officer of the University shall be liable for:

- (a) acts, receipts, neglects or defaults of any other Board member, officer or employee, or
- (b) for joining in any receipt or other act for conformity, or

- (c) for any loss, damage or expense happening to the University through the insufficiency or deficiency of title to any property acquired by order of the Board for or on behalf of the University, or
- (d) for the insufficiency or deficiency of any security in or upon which any of the monies of the University shall be invested, or
- (e) for any loss or damage arising from the bankruptcy, insolvency or tortuous act of any person with whom any of the monies, securities or effects of the University shall be deposited, or
- (f) for any loss, damage or misfortune whatever which shall happen in the execution of the duties of their office or in relation thereto unless the same are occasioned by their own willful neglect or default. Nothing herein shall relive any Board member or officer from any breach of duty to act in accordance with applicable law.

9.2 Indemnity

Every member of the Board, and every officer or other person who has undertaken or is about to undertake any liability on behalf of the University, or any company controlled by it, and their heirs, executors and administrators and estate and effects, respectively, shall from time to time at all times be indemnified and saved harmless out of the funds or other assets of the University from and against:

- (a) all costs, charges and expenses whatsoever that such member, officer, or other person sustains and incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against them for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by them in or about the execution of the duties of their office; and
- (b) all other costs, charges and expenses that they sustain or incur in or about or in relation to the affairs of the University, except such costs, charges or expenses as are occasioned by their own willful neglect or default.

The University shall not indemnify an individual under this section unless (i) the individual acted honestly and in good faith with a view to the best interest of the University, and (ii) if the matter is a criminal or administrative proceeding that is enforced by a monetary penalty, the individual had reasonable grounds for believing that their conduct was lawful.

9.3 Member's Reliance

Any member of the Board may rely upon the accuracy of any statement or report prepared by the University's auditors and shall not be responsible or held liable for any loss or damage resulting from acting upon such statement or report.

ARTICLE 10 – CONFLICT OF INTEREST

10.1 Conflict of Interest

A Board member or officer who is a party to, or who is a director or officer of, or has a material interest in any person who is a party to, a material contract or proposed material contract with the University shall disclose the nature and extent of their interest at the time and in the manner provided by applicable law. Any such contract or proposed contract shall be referred to the Board for approval even if such contract is one that in the ordinary course of the University's business would not require approval by the Board, and a member interested in a contract so referred to the Board shall not vote on any resolution to approve the same except as provided by applicable law.

10.2 Code of Conduct

The Board may from time to time agree upon and issue a code of conduct or other policy prescribing expected conduct in respect of conflicts of interest, confidentiality and person conduct when acting as a member of the Board or officer.

10.3 Confidentiality

In carrying out their duties and responsibilities, a Board member or officer may come into possession or become aware of sensitive information of a private, confidential or proprietary nature relating to the University. No Board member or officer shall disclose any information of a private, confidential or proprietary nature outside of the University, either during or after their tenure as a Board member or as an officer.

10.4 Additional Restrictions

The University shall not knowingly, directly or indirectly, purchase anything from or lend money to any Board member or any officer, or any persons who are in a non-arms-length relationship with Board members or any officer of the Board.

ARTICLE 11 – NOTICES

11.1 Notices to Members

Whenever under the provisions of the Bylaw, notice is required to be given, unless otherwise provided herein, such notice may be given either personally or electronically or depositing same in a post office or a public letterbox, postage prepaid, addressed to the member or officer at such person's address as the same last appears on the books of the University.

A notice or other document so sent by post shall be deemed to be given at the time and when the same was so deposited, or if given electronically shall be deemed to be given when the same was transmitted. A declaration by the Secretary or the Chair that any such notice has been given pursuant to this Bylaw shall be sufficient and conclusive evidence of the giving of such notice. Any

person entitled to receive such notice may waive such notice either before or after the meeting to which such notice refers.

11.2 Notices to the Public

Whenever under the provisions of the Bylaw, notice is required to be given to the public, unless otherwise provided herein, such notice may be given by posting such message electronically on the University's website, or in such other manner as may be determined by the Board from time to time.

11.3 Computation of Time

In computing the date when notice must be given under any provision requiring a specified number of days' notice of any meeting or other event, the date of giving the notice shall be excluded and the date of the meeting or other event shall be included.

11.4 Omissions and Errors

The accidental omission to give any notice to any member, officer or auditor or the non-receipt of any notice by any member, officer or auditor or any error in any notice not affecting the substance thereof of any meeting or any adjourned meeting shall not invalidate such meeting or any action taken at any meeting held pursuant to such notice or otherwise founder thereon.

11.5 Waiver of Notice

Any member, officer or auditor may waive any notice required to be given to them under any provision of applicable law, the Bylaw or otherwise and such waiver, whether given before or after the meeting or other event of which notice is required to be given, shall cure any default in giving such notice.

ARTICLE 12 – AUDITORS

12.1 Auditors

The members of the Board shall at each annual meeting, appoint an auditor to audit the accounts of the University and to hold office until the next annual meeting, provided that the members of the Board may fill any casual vacancy in the office of the auditor. The remuneration of the auditor shall be fixed by the Board.

12.2 Audited Financial Statements

The annual audited financial statements shall be made available to faculty, staff and students by being posted on the University website and by having a printed copy available for inspection in the library and the Office of the President.

ARTICLE 13 – AMENDMENT OF BYLAW

The Bylaw of the University may be enacted, and may be repealed or amended by further bylaw enacted, by a majority of the members of the Board at a meeting of the Board.

ARTICLE 14 – EFFECTIVE DATE

This Bylaw comes into force when passed by the Board.

PASSED by the members of the Board and sealed with the corporate seal this ____ day of _____, 20____.

Chair, Board of Governors

Date

Secretary, Board of Governors

Date

APPENDIX A

Ex Corde Ecclesiae

***APOSTOLIC CONSTITUTION
OF THE SUPREME PONTIFF
JOHN PAUL II
ON CATHOLIC UNIVERSITIES***

INTRODUCTION

BORN FROM THE HEART of the Church, a Catholic University is located in that course of tradition which may be traced back to the very origin of the University as an institution. It has always been recognized as an incomparable centre of creativity and dissemination of knowledge for the good of humanity. By vocation, the *Universitas magistrorum et scholarium* is dedicated to research, to teaching and to the education of students who freely associate with their teachers in a common love of knowledge (1). With every other University it shares that *gaudium de veritate*, so precious to Saint Augustine, which is that joy of searching for, discovering and communicating truth (2) in every field of knowledge. A Catholic University's privileged task is "to unite existentially by intellectual effort two orders of reality that too frequently tend to be placed in opposition as though they were antithetical: the search for truth, and the certainty of already knowing the fount of truth"(3).

2. For many years I myself was deeply enriched by the beneficial experience of university life: the ardent search for truth and its unselfish transmission to youth and to all those learning to think rigorously, so as to act rightly and to serve humanity better.

Therefore, I desire to share with everyone my profound respect for Catholic Universities, and to express my great appreciation for the work that is being done in them in the various spheres of knowledge. In a particular way, I wish to manifest my joy at the numerous meetings which the Lord has permitted me to have in the course of my apostolic journeys with the Catholic University communities of various continents. They are for me a lively and promising sign of the fecundity of the Christian mind in the heart of every culture. They give me a well-founded hope for a new flowering of Christian culture in the rich and varied context of our changing times, which certainly face serious challenges but which also bear so much promise under the action of the Spirit of truth and of love.

It is also my desire to express my pleasure and gratitude to the very many Catholic scholars engaged in teaching and research in non-Catholic Universities. Their task as academics and scientists, lived out in the light of the Christian faith, is to be considered precious for the good of the Universities in which they teach. Their presence, in fact, is a continuous stimulus to the selfless search for truth and for the wisdom that comes from above.

3. Since the beginning of this Pontificate, I have shared these ideas and sentiments with my closest collaborators, the Cardinals, with the Congregation for Catholic Education, and with men and women of culture throughout the world. In fact, the dialogue of the Church with the cultures of our times is that vital area where "the future of the Church and of the world is being

played out as we conclude the twentieth century"(4). There is only one culture: that of man, by man and for man(5). And thanks to her Catholic Universities and their humanistic and scientific inheritance, the Church, expert in humanity, as my predecessor, Paul VI, expressed it at the United Nations (6), explores the mysteries of humanity and of the world, clarifying them in the light of Revelation.

4. It is the honour and responsibility of a Catholic University to consecrate itself without reserve to *the cause of truth*. This is its way of serving at one and the same time both the dignity of man and the good of the Church, which has "an intimate conviction that truth is (its) real ally ... and that knowledge and reason are sure ministers to faith"(7). Without in any way neglecting the acquisition of useful knowledge, a Catholic University is distinguished by its free search for the whole truth about nature, man and God. The present age is in urgent need of this kind of disinterested service, namely of *proclaiming the meaning of truth*, that fundamental value without which freedom, justice and human dignity are extinguished. By means of a kind of universal humanism a Catholic University is completely dedicated to the research of all aspects of truth in their essential connection with the supreme Truth, who is God. It does this without fear but rather with enthusiasm, dedicating itself to every path of knowledge, aware of being preceded by him who is "the Way, the Truth, and the Life"(8), the *Logos*, whose Spirit of intelligence and love enables the human person with his or her own intelligence to find the ultimate reality of which he is the source and end and who alone is capable of giving fully that Wisdom without which the future of the world would be in danger.

5. It is in the context of the impartial search for truth that the relationship between faith and reason is brought to light and meaning. The invitation of Saint Augustine, "*Intellege ut credas; crede ut intellegas*"(9), is relevant to Catholic Universities that are called to explore courageously the riches of Revelation and of nature so that the united endeavour of intelligence and faith will enable people to come to the full measure of their humanity, created in the image and likeness of God, renewed even more marvellously, after sin, in Christ, and called to shine forth in the light of the Spirit.

6. Through the encounter which it establishes between the unfathomable richness of the salvific message of the Gospel and the variety and immensity of the fields of knowledge in which that richness is incarnated by it, a Catholic University enables the Church to institute an incomparably fertile dialogue with people of every culture. Man's life is given dignity by culture, and, while he finds his fullness in Christ, there can be no doubt that the Gospel which reaches and renews him in every dimension is also fruitful for the culture in which he lives.

7. In the world today, characterized by such rapid developments in science and technology, the tasks of a Catholic University assume an ever greater importance and urgency. Scientific and technological discoveries create an enormous economic and industrial growth, but they also inescapably require the correspondingly necessary *search for meaning* in order to guarantee that the new discoveries be used for the authentic good of individuals and of human society as a whole. If it is the responsibility of every University to search for such meaning, a Catholic University is called in a particular way to respond to this need: its Christian inspiration enables it to include the moral, spiritual and religious dimension in its research, and to evaluate the

attainments of science and technology in the perspective of the totality of the human person.

In this context, Catholic Universities are called to a continuous renewal, both as "Universities" and as "Catholic". For, "What is at stake is the *very meaning of scientific and technological research, of social life and of culture*, but, on an even more profound level, what is at stake is *the very meaning of the human person*"(10). Such renewal requires a clear awareness that, by its Catholic character, a University is made more capable of conducting an *impartial* search for truth, a search that is neither subordinated to nor conditioned by particular interests of any kind.

8. Having already dedicated the Apostolic Constitution *Sapientia Christiana* to Ecclesiastical Faculties and Universities (11), I then felt obliged to propose an analogous Document for Catholic Universities as a sort of "magna carta", enriched by the long and fruitful experience of the Church in the realm of Universities and open to the promise of future achievements that will require courageous creativity and rigorous fidelity.

9. The present Document is addressed especially to those who conduct Catholic Universities, to the respective academic communities, to all those who have an interest in them, particularly the Bishops, Religious Congregations and ecclesial *Institutions*, and to the numerous laity who are committed to the great mission of higher education. Its purpose is that "the Christian mind may achieve, as it were, a public, persistent and universal presence in the whole enterprise of advancing higher culture and that the students of these institutions become people outstanding in learning, ready to shoulder society's heavier burdens and to witness the faith to the world"(12).

10. In addition to Catholic Universities, I also turn to the many Catholic Institutions of higher education. According to their nature and proper objectives, they share some or all of the characteristics of a University and they offer their own contribution to the Church and to society, whether through research, education or professional training. While this Document specifically concerns Catholic Universities, it is also meant to include all Catholic Institutions of higher education engaged in instilling the Gospel message of Christ in souls and cultures.

Therefore, it is with great trust and hope that I invite all Catholic Universities to pursue their irreplaceable task. Their mission appears increasingly necessary for the encounter of the Church with the development of the sciences and with the cultures of our age.

Together with all my brother Bishops who share pastoral responsibility with me, I would like to manifest my deep conviction that a Catholic University is without any doubt one of the best instruments that the Church offers to our age which is searching for certainty and wisdom. Having the mission of bringing the Good News to everyone, the Church should never fail to interest herself in this Institution. By research and teaching, Catholic Universities assist the Church in the manner most appropriate to modern times to find cultural treasures both old and new, "*nova et vetera*", according to the words of Jesus(13).

11. Finally, I turn to the whole Church, convinced that Catholic Universities are essential to her growth and to the development of Christian culture and human progress. For this reason,

the entire ecclesial Community is invited to give its support to Catholic Institutions of higher education and to assist them in their process of development and renewal. It is invited in a special way to guard the rights and freedom of these Institutions in civil society, and to offer them economic aid, especially in those countries where they have more urgent need of it, and to furnish assistance in founding new Catholic Universities wherever this might be necessary.

My hope is that these prescriptions, based on the teaching of Vatican Council II and the directives of the Code of Canon Law, will enable Catholic Universities and other Institutes of higher studies to fulfil their indispensable mission in the new advent of grace that is opening up to the new Millennium.

PART I

IDENTITY AND MISSION

A. THE IDENTITY OF A CATHOLIC UNIVERSITY

1. Nature and Objectives

12. Every Catholic University, *as a university*, is an academic community which, in a rigorous and critical fashion, assists in the protection and advancement of human dignity and of a cultural heritage through research, teaching and various services offered to the local, national and international communities (14). It possesses that institutional autonomy necessary to perform its functions effectively and guarantees its members academic freedom, so long as the rights of the individual person and of the community are preserved within the confines of the truth and the common good (15).

13. Since the objective of a Catholic University is to assure in an institutional manner a Christian presence in the university world confronting the great problems of society and culture (16), every Catholic University, as *Catholic*, must have the following *essential characteristics*:

- "1. a Christian inspiration not only of individuals but of the university community as such;
2. a continuing reflection in the light of the Catholic faith upon the growing treasury of human knowledge, to which it seeks to contribute by its own research;
3. fidelity to the Christian message as it comes to us through the Church;
4. an institutional commitment to the service of the people of God and of the human family in their pilgrimage to the transcendent goal which gives meaning to life"(17).

14. "In the light of these four characteristics, it is evident that besides the teaching, research and services common to all Universities, a Catholic University, by *institutional commitment*, brings to its task the inspiration and light of the *Christian message*. In a Catholic University, therefore, Catholic ideals, attitudes and principles penetrate and inform university activities in

accordance with the proper nature and autonomy of these activities. In a word, being both a University and Catholic, it must be both a community of scholars representing various branches of human knowledge, and an academic institution in which Catholicism is vitally present and operative"(18).

15. A Catholic University, therefore, is a place of research, where scholars *scrutinize reality* with the methods proper to each academic discipline, and so contribute to the treasury of human knowledge. Each individual discipline is studied in a systematic manner; moreover, the various disciplines are brought into dialogue for their mutual enhancement.

In addition to assisting men and women in their continuing quest for the truth, this research provides an effective witness, especially necessary today, to the Church's belief in the intrinsic value of knowledge and research.

In a Catholic University, research necessarily includes (a) the search for an *integration of knowledge*, (b) a *dialogue between faith and reason*, (c) an *ethical concern*, and (d) a *theological perspective*.

16. *Integration of knowledge* is a process, one which will always remain incomplete; moreover, the explosion of knowledge in recent decades, together with the rigid compartmentalization of knowledge within individual academic disciplines, makes the task increasingly difficult. But a University, and especially a Catholic University, "*has to be a 'living union' of individual organisms* dedicated to the search for truth ... It is necessary *to work towards a higher synthesis* of knowledge, in which alone lies the possibility of satisfying that thirst for truth which is profoundly inscribed on the heart of the human person"(19). Aided by the specific contributions of philosophy and theology, university scholars will be engaged in a constant effort to determine the relative place and meaning of each of the various disciplines within the context of a vision of the human person and the world that is enlightened by the Gospel, and therefore by a faith in Christ, the *Logos*, as the centre of creation and of human history.

17. In promoting this integration of knowledge, a specific part of a Catholic University's task is to promote *dialogue between faith and reason*, so that it can be seen more profoundly how faith and reason bear harmonious witness to the unity of all truth. While each academic discipline retains its own integrity and has its own methods, this dialogue demonstrates that "methodical research within every branch of learning, when carried out in a truly scientific manner and in accord with moral norms, can never truly conflict with faith. For the things of the earth and the concerns of faith derive from the same God"(20). A vital interaction of two distinct levels of coming to know the one truth leads to a greater love for truth itself, and contributes to a more comprehensive understanding of the meaning of human life and of the purpose of God's creation.

18. Because knowledge is meant to serve the human person, research in a Catholic University is always carried out with a concern for the *ethical* and *moral implications* both of its methods and of its discoveries. This concern, while it must be present in all research, is particularly important in the areas of science and technology. "It is essential that we be convinced of the

priority of the ethical over the technical, of the primacy of the person over things, of the superiority of the spirit over matter. The cause of the human person will only be served if knowledge is joined to conscience. Men and women of science will truly aid humanity only if they preserve 'the sense of the transcendence of the human person over the world and of God over the human person'(21).

19. *Theology* plays a particularly important role in the search for a synthesis of knowledge as well as in the dialogue between faith and reason. It serves all other disciplines in their search for meaning, not only by helping them to investigate how their discoveries will affect individuals and society but also by bringing a perspective and an orientation not contained within their own methodologies. In turn, interaction with these other disciplines and their discoveries enriches theology, offering it a better understanding of the world today, and making theological research more relevant to current needs. Because of its specific importance among the academic disciplines, every Catholic University should have a faculty, or at least a chair, of theology (22).

20. Given the close connection between research and teaching, the research qualities indicated above will have their influence on all teaching. While each discipline is taught systematically and according to its own methods, *interdisciplinary studies*, assisted by a careful and thorough study of philosophy and theology, enable students to acquire an organic vision of reality and to develop a continuing desire for intellectual progress. In the communication of knowledge, emphasis is then placed on how *human reason in its reflection* opens to increasingly broader questions, and how the complete answer to them can only come from above through faith. Furthermore, the *moral implications* that are present in each discipline are examined as an integral part of the teaching of that discipline so that the entire educative process be directed towards the whole development of the person. Finally, Catholic theology, taught in a manner faithful to Scripture, Tradition, and the Church's Magisterium, provides an awareness of the Gospel principles which will enrich the meaning of human life and give it a new dignity.

Through research and teaching the students are educated in the various disciplines so as to become truly competent in the specific sectors in which they will devote themselves to the service of society and of the Church, but at the same time prepared to give the witness of their faith to the world.

2. The University Community

21. A Catholic University pursues its objectives through its formation of an authentic human community animated by the spirit of Christ. The source of its unity springs from a common dedication to the truth, a common vision of the dignity of the human person and, ultimately, the person and message of Christ which gives the Institution its distinctive character. As a result of this inspiration, the community is animated by a spirit of freedom and charity; it is characterized by mutual respect, sincere dialogue, and protection of the rights of individuals. It assists each of its members to achieve wholeness as human persons; in turn, everyone in the community helps in promoting unity, and each one, according to his or her role and capacity, contributes towards decisions which affect the community, and also towards maintaining and

strengthening the distinctive Catholic character of the Institution.

22. *University teachers* should seek to improve their competence and endeavour to set the content, objectives, methods, and results of research in an individual discipline within the framework of a coherent world vision. Christians among the teachers are called to be witnesses and educators of authentic Christian life, which evidences attained integration between faith and life, and between professional competence and Christian wisdom. All teachers are to be inspired by academic ideals and by the principles of an authentically human life.

23. *Students* are challenged to pursue an education that combines excellence in humanistic and cultural development with specialized professional training. Most especially, they are challenged to continue the search for truth and for meaning throughout their lives, since "the human spirit must be cultivated in such a way that there results a growth in its ability to wonder, to understand, to contemplate, to make personal judgments, and to develop a religious, moral, and social sense"(23). This enables them to acquire or, if they have already done so, to deepen a Christian way of life that is authentic. They should realize the responsibility of their professional life, the enthusiasm of being the trained 'leaders' of tomorrow, of being witnesses to Christ in whatever place they may exercise their profession.

24. *Directors and administrators* in a Catholic University promote the constant growth of the University and its community through a leadership of service; the dedication and witness of the *non-academic staff* are vital for the identity and life of the University.

25. Many Catholic Universities were founded by Religious Congregations, and continue to depend on their support; those Religious Congregations dedicated to the apostolate of higher education are urged to assist these Institutions in the renewal of their commitment, and to continue to prepare religious men and women who can positively contribute to the mission of a Catholic University.

Lay people have found in university activities a means by which they too could exercise an important apostolic role in the Church and, in most Catholic Universities today, the academic community is largely composed of laity; in increasing numbers, lay men and women are assuming important functions and responsibilities for the direction of these Institutions. These lay Catholics are responding to the Church's call "to be present, as signs of courage and intellectual creativity, in the privileged places of culture, that is, the world of education-school and university"(24). The future of Catholic Universities depends to a great extent on the competent and dedicated service of lay Catholics. The Church sees their developing presence in these institutions both as a sign of hope and as a confirmation of the irreplaceable lay vocation in the Church and in the world, confident that lay people will, in the exercise of their own distinctive role, "illuminate and organize these (temporal) affairs in such a way that they always start out, develop, and continue according to Christ's mind, to the praise of the Creator and the Redeemer"(25).

26. The university community of many Catholic institutions includes members of other Churches, ecclesial communities and religions, and also those who profess no religious belief.

These men and women offer their training and experience in furthering the various academic disciplines or other university tasks.

3. *The Catholic University in the Church*

27. Every Catholic University, without ceasing to be a University, has a relationship to the Church that is essential to its institutional identity. As such, it participates most directly in the life of the local Church in which it is situated; at the same time, because it is an academic institution and therefore a part of the international community of scholarship and inquiry, each institution participates in and contributes to the life and the mission of the universal Church, assuming consequently a special bond with the Holy See by reason of the service to unity which it is called to render to the whole Church. One consequence of its essential relationship to the Church is that the *institutional* fidelity of the University to the Christian message includes a recognition of and adherence to the teaching authority of the Church in matters of faith and morals. Catholic members of the university community are also called to a personal fidelity to the Church with all that this implies. Non-Catholic members are required to respect the Catholic character of the University, while the University in turn respects their religious liberty (26).

28. Bishops have a particular responsibility to promote Catholic Universities, and especially to promote and assist in the preservation and strengthening of their Catholic identity, including the protection of their Catholic identity in relation to civil authorities. This will be achieved more effectively if close personal and pastoral relationships exist between University and Church authorities, characterized by mutual trust, close and consistent cooperation and continuing dialogue. Even when they do not enter directly into the internal governance of the University, Bishops "should be seen not as external agents but as participants in the life of the Catholic University"(27).

29. The Church, accepting "the legitimate autonomy of human culture and especially of the sciences", recognizes the academic freedom of scholars in each discipline in accordance with its own principles and proper methods (28), and within the confines of the truth and the common good.

Theology has its legitimate place in the University alongside other disciplines. It has proper principles and methods which define it as a branch of knowledge. Theologians enjoy this same freedom so long as they are faithful to these principles and methods.

Bishops should encourage the creative work of theologians. They serve the Church through research done in a way that respects theological method. They seek to understand better, further develop and more effectively communicate the meaning of Christian Revelation as transmitted in Scripture and Tradition and in the Church's Magisterium. They also investigate the ways in which theology can shed light on specific questions raised by contemporary culture. At the same time, since theology seeks an understanding of revealed truth whose authentic interpretation is entrusted to the Bishops of the Church (29), it is intrinsic to the principles and methods of their research and teaching in their academic discipline that theologians respect the authority of the Bishops, and assent to Catholic doctrine according to

the degree of authority with which it is taught (30). Because of their interrelated roles, dialogue between Bishops and theologians is essential; this is especially true today, when the results of research are so quickly and so widely communicated through the media (31).

B. THE MISSION OF SERVICE OF A CATHOLIC UNIVERSITY

30. The basic mission of a University is a continuous quest for truth through its research, and the preservation and communication of knowledge for the good of society. A Catholic University participates in this mission with its own specific characteristics and purposes.

1. Service to Church and Society

31. Through teaching and research, a Catholic University offers an indispensable contribution to the Church. In fact, it prepares men and women who, inspired by Christian principles and helped to live their Christian vocation in a mature and responsible manner, will be able to assume positions of responsibility in the Church. Moreover, by offering the results of its scientific research, a Catholic University will be able to help the Church respond to the problems and needs of this age.

32. A Catholic University, as any University, is immersed in human society; as an extension of its service to the Church, and always within its proper competence, it is called on to become an ever more effective instrument of cultural progress for individuals as well as for society. Included among its research activities, therefore, will be a study of *serious contemporary problems* in areas such as the dignity of human life, the promotion of justice for all, the quality of personal and family life, the protection of nature, the search for peace and political stability, a more just sharing in the world's resources, and a new economic and political order that will better serve the human community at a national and international level. University research will seek to discover the roots and causes of the serious problems of our time, paying special attention to their ethical and religious dimensions.

If need be, a Catholic University must have the courage to speak uncomfortable truths which do not please public opinion, but which are necessary to safeguard the authentic good of society.

33. A specific priority is the need to examine and evaluate the predominant values and norms of modern society and culture in a Christian perspective, and the responsibility to try to communicate to society those *ethical and religious principles which give full meaning to human life*. In this way a University can contribute further to the development of a true Christian anthropology, founded on the person of Christ, which will bring the dynamism of the creation and redemption to bear on reality and on the correct solution to the problems of life.

34. The Christian spirit of service to others for the *promotion of social justice* is of particular importance for each Catholic University, to be shared by its teachers and developed in its students. The Church is firmly committed to the integral growth of all men and women (32). The Gospel, interpreted in the social teachings of the Church, is an urgent call to promote "the development of those peoples who are striving to escape from hunger, misery, endemic

diseases and ignorance; of those who are looking for a wider share in the benefits of civilization and a more active improvement of their human qualities; of those who are aiming purposefully at their complete fulfilment"(33). Every Catholic University feels responsible to contribute concretely to the progress of the society within which it works: for example, it will be capable of searching for ways to make university education accessible to all those who are able to benefit from it, especially the poor or members of minority groups who customarily have been deprived of it. A Catholic University also has the responsibility, to the degree that it is able, to help to promote the development of the emerging nations.

35. In its attempts to resolve these complex issues that touch on so many different dimensions of human life and of society, a Catholic University will insist on cooperation among the different academic disciplines, each offering its distinct contribution in the search for solutions; moreover, since the economic and personal resources of a single Institution are limited, cooperation in *common research projects* among Catholic Universities, as well as with other private and governmental institutions, is imperative. In this regard, and also in what pertains to the other fields of the specific activity of a Catholic University, the role played by various national and international associations of Catholic Universities is to be emphasized. Among these associations the mission of *The International Federation of Catholic Universities*, founded by the Holy See (34), is particularly to be remembered. The Holy See anticipates further fruitful collaboration with this Federation.

36. Through programmes of *continuing education* offered to the wider community, by making its scholars available for consulting services, by taking advantage of modern means of communication, and in a variety of other ways, a Catholic University can assist in making the growing body of human knowledge and a developing understanding of the faith available to a wider public, thus expanding university services beyond its own academic community.

37. In its service to society, a Catholic University *will relate especially to the academic, cultural and scientific world* of the region in which it is located. Original forms of dialogue and collaboration are to be encouraged between the Catholic Universities and the other Universities of a nation on behalf of development, of understanding between cultures, and of the defence of nature in accordance with an awareness of the international ecological situation.

Catholic Universities join other private and public Institutions in serving the public interest through higher education and research; they are one among the variety of different types of institution that are necessary for the free expression of cultural diversity, and they are committed to the promotion of solidarity and its meaning in society and in the world. Therefore, they have the full right to expect that civil society and public authorities will recognize and defend their institutional autonomy and academic freedom; moreover, they have the right to the financial support that is necessary for their continued existence and development.

2. Pastoral Ministry

38. Pastoral ministry is that activity of the University which offers the members of the university community an opportunity to integrate religious and moral principles with their

academic study and non-academic activities, *thus integrating faith with life*. It is part of the mission of the Church within the University, and is also a constitutive element of a Catholic University itself, both in its structure and in its life. A university community concerned with promoting the Institution's Catholic character will be conscious of this pastoral dimension and sensitive to the ways in which it can have an influence on all university activities.

39. As a natural expression of the Catholic identity of the University, the university community *should give a practical demonstration of its faith in its daily activity*, with important moments of reflection and of prayer. Catholic members of this community will be offered opportunities to assimilate Catholic teaching and practice into their lives and will be encouraged to participate in the celebration of the sacraments, especially the Eucharist as the most perfect act of community worship. When the academic community includes members of other Churches, ecclesial communities or religions, their initiatives for reflection and prayer in accordance with their own beliefs are to be respected.

40. Those involved in pastoral ministry will encourage teachers and students to become more aware of their responsibility towards those who are suffering physically or spiritually. Following the example of Christ, they will be particularly attentive to the poorest and to those who suffer economic, social, cultural or religious injustice. This responsibility begins within the academic community, but it also finds application beyond it.

41. Pastoral ministry is an indispensable means by which Catholic students can, in fulfilment of their baptism, *be prepared for active participation in the life of the Church*; it can assist in developing and nurturing the value of marriage and family life, fostering vocations to the priesthood and religious life, stimulating the Christian commitment of the laity and imbuing every activity with the spirit of the Gospel. Close cooperation between pastoral ministry in a Catholic University and the other activities within the local Church, under the guidance or with the approval of the diocesan Bishop, will contribute to their mutual growth (35).

42. Various associations or movements of spiritual and apostolic life, especially those developed specifically for students, can be of great assistance in developing the pastoral aspects of university life.

3. Cultural Dialogue

43. By its very nature, a University develops culture through its research, helps to transmit the local culture to each succeeding generation through its teaching, and assists cultural activities through its educational services. It is open to all human experience and is ready to dialogue with and learn from any culture. A Catholic University shares in this, offering the rich experience of the Church's own culture. In addition, a Catholic University, aware that human culture is open to Revelation and transcendence, is also a primary and privileged place for a *fruitful dialogue between the Gospel and culture*.

44. Through this dialogue a Catholic University assists the Church, enabling it to come to a better knowledge of diverse cultures, discern their positive and negative aspects, to receive their authentically human contributions, and to develop means by which it can make the faith

better understood by the men and women of a particular culture (36). While it is true that the Gospel cannot be identified with any particular culture and transcends all cultures, it is also true that "the Kingdom which the Gospel proclaims is lived by men and women who are profoundly linked to a culture, and the building up of the Kingdom cannot avoid borrowing the elements of human culture or cultures (37). "A faith that places itself on the margin of what is human, of what is therefore culture, would be a faith unfaithful to the fullness of what the Word of God manifests and reveals, a decapitated faith, worse still, a faith in the process of self-annihilation"(38).

45. A Catholic University must become *more attentive to the cultures of the world of today*, and to the *various cultural traditions existing within the Church* in a way that will promote a continuous and profitable dialogue between the Gospel and modern society. Among the criteria that characterize the values of a culture are above all, the *meaning of the human person*, his or her liberty, dignity, *sense of responsibility*, and openness to the transcendent. To a respect for persons is joined *the preeminent value of the family*, the primary unit of every human culture.

Catholic Universities will seek to discern and evaluate both the aspirations and the contradictions of modern culture, in order to make it more suited to the total development of individuals and peoples. In particular, it is recommended that by means of appropriate studies, the impact of modern technology and especially of the mass media on persons, the family, and the institutions and whole of modern culture be studied deeply. Traditional cultures are to be defended in their identity, helping them to receive modern values without sacrificing their own heritage, which is a wealth for the whole of the human family. Universities, situated within the ambience of these cultures, will seek to harmonize local cultures with the positive contributions of modern cultures.

46. An area that particularly interests a Catholic University is the *dialogue between Christian thought and the modern sciences*. This task requires persons particularly well versed in the individual disciplines and who are at the same time adequately prepared theologically, and who are capable of confronting epistemological questions at the level of the relationship between faith and reason. Such dialogue concerns the natural sciences as much as the human sciences which posit new and complex philosophical and ethical problems. The Christian researcher should demonstrate the way in which human intelligence is enriched by the higher truth that comes from the Gospel: "The intelligence is never diminished, rather, it is stimulated and reinforced by that interior fount of deep understanding that is the Word of God, and by the hierarchy of values that results from it... In its unique manner, the Catholic University helps to manifest the superiority of the spirit, that can never, without the risk of losing its very self, be placed at the service of something other than the search for truth"(39).

47. Besides cultural dialogue, a Catholic University, in accordance with its specific ends, and keeping in mind the various religious-cultural contexts, following the directives promulgated by competent ecclesiastical authority, can offer a contribution to ecumenical dialogue. It does so to further the search for unity among all Christians. In inter-religious dialogue it will assist in discerning the spiritual values that are present in the different religions.

4. Evangelization

48. The primary mission of the Church is to preach the Gospel in such a way that a relationship between faith and life is established in each individual and in the socio-cultural context in which individuals live and act and communicate with one another. Evangelization means "bringing the Good News into all the strata of humanity, and through its influence transforming humanity from within and making it new... It is a question not only of preaching the Gospel in ever wider geographic areas or to ever greater numbers of people, but also of affecting and, as it were, upsetting, through the power of the Gospel, humanity's criteria of judgment, determining values, points of interest, lines of thought, sources of inspiration and models of life, which are in contrast with the Word of God and the plan of salvation"(40).

49. By its very nature, each Catholic University makes an important contribution to the Church's work of evangelization. It is a living *institutional* witness to Christ and his message, so vitally important in cultures marked by secularism, or where Christ and his message are still virtually unknown. Moreover, all the basic academic activities of a Catholic University are connected with and in harmony with the evangelizing mission of the Church: research carried out in the light of the Christian message which puts new human discoveries at the service of individuals and society; education offered in a faith-context that forms men and women capable of rational and critical judgment and conscious of the transcendent dignity of the human person; professional training that incorporates ethical values and a sense of service to individuals and to society; the dialogue with culture that makes the faith better understood, and the theological research that translates the faith into contemporary language. "Precisely because it is more and more conscious of its salvific mission in this world, the Church wants to have these centres closely connected with it; it wants to have them present and operative in spreading the authentic message of Christ"(41).

PART II

GENERAL NORMS

Article 1. *The Nature of these General Norms*

§ 1. These General Norms are based on, and are a further development of, the Code of Canon Law (42) and the complementary Church legislation, without prejudice to the right of the Holy See to intervene should this become necessary. They are valid for all Catholic Universities and other Catholic Institutes of Higher Studies throughout the world.

§ 2. The General Norms are to be applied concretely at the local and regional levels by Episcopal Conferences and other Assemblies of Catholic Hierarchy (43) in conformity with the Code of Canon Law and complementary Church legislation, taking into account the Statutes of each University or Institute and, as far as possible and appropriate, civil law. After review by the Holy See (44), these local or regional "Ordinances" will be valid for all Catholic Universities and other Catholic Institutes of Higher Studies in the region, except for Ecclesiastical Universities and Faculties. These latter Institutions, including Ecclesiastical Faculties which are part of a Catholic University, are governed by the norms of the Apostolic

Constitution *Sapientia Christiana* (45).

§ 3. A University established or approved by the Holy See, by an Episcopal Conference or another Assembly of Catholic Hierarchy, or by a diocesan Bishop is to incorporate these General Norms and their local and regional applications into its governing documents, and conform its existing Statutes both to the General Norms and to their applications, and submit them for approval to the competent ecclesiastical Authority. It is contemplated that other Catholic Universities, that is, those not established or approved in any of the above ways, with the agreement of the local ecclesiastical Authority, will make their own the General Norms and their local and regional applications, internalizing them into their governing documents, and, as far as possible, will conform their existing Statutes both to these General Norms and to their applications.

Article 2. *The Nature of a Catholic University*

§ 1. A Catholic University, like every university, is a community of scholars representing various branches of human knowledge. It is dedicated to research, to teaching, and to various kinds of service in accordance with its cultural mission.

§ 2. A Catholic University, as Catholic, informs and carries out its research, teaching, and all other activities with Catholic ideals, principles and attitudes. It is linked with the Church either by a formal, constitutive and statutory bond or by reason of an institutional commitment made by those responsible for it.

§ 3. Every Catholic University is to make known its Catholic identity, either in a mission statement or in some other appropriate public document, unless authorized otherwise by the competent ecclesiastical Authority. The University, particularly through its structure and its regulations, is to provide means which will guarantee the expression and the preservation of this identity in a manner consistent with §2.

§ 4. Catholic teaching and discipline are to influence all university activities, while the freedom of conscience of each person is to be fully respected (46). Any official action or commitment of the University is to be in accord with its Catholic identity.

§ 5. A Catholic University possesses the autonomy necessary to develop its distinctive identity and pursue its proper mission. Freedom in research and teaching is recognized and respected according to the principles and methods of each individual discipline, so long as the rights of the individual and of the community are preserved within the confines of the truth and the common good (47).

Article 3. *The Establishment of a Catholic University*

§ 1. A Catholic University may be established or approved by the Holy See, by an Episcopal Conference or another Assembly of Catholic Hierarchy, or by a diocesan Bishop.

§ 2. With the consent of the diocesan Bishop, a Catholic University may also be established by

a Religious Institute or other public juridical person.

§ 3. A Catholic University may also be established by other ecclesiastical or lay persons; such a University may refer to itself as a Catholic University only with the consent of the competent ecclesiastical Authority, in accordance with the conditions upon which both parties shall agree (48).

§ 4. In the cases of §§ 1 and 2, the Statutes must be approved by the competent ecclesiastical Authority.

Article 4. *The University Community*

§ 1. The responsibility for maintaining and strengthening the Catholic identity of the University rests primarily with the University itself. While this responsibility is entrusted principally to university authorities (including, when the positions exist, the Chancellor and/or a Board of Trustees or equivalent body), it is shared in varying degrees by all members of the university community, and therefore calls for the recruitment of adequate university personnel, especially teachers and administrators, who are both willing and able to promote that identity. The identity of a Catholic University is essentially linked to the quality of its teachers and to respect for Catholic doctrine. It is the responsibility of the competent Authority to watch over these two fundamental needs in accordance with what is indicated in Canon Law (49).

§ 2. All teachers and all administrators, at the time of their appointment, are to be informed about the Catholic identity of the Institution and its implications, and about their responsibility to promote, or at least to respect, that identity.

§ 3. In ways appropriate to the different academic disciplines, all Catholic teachers are to be faithful to, and all other teachers are to respect, Catholic doctrine and morals in their research and teaching. In particular, Catholic theologians, aware that they fulfil a mandate received from the Church, are to be faithful to the Magisterium of the Church as the authentic interpreter of Sacred Scripture and Sacred Tradition (50).

§ 4. Those university teachers and administrators who belong to other Churches, ecclesial communities, or religions, as well as those who profess no religious belief, and also all students, are to recognize and respect the distinctive Catholic identity of the University. In order not to endanger the Catholic identity of the University or Institute of Higher Studies, the number of non-Catholic teachers should not be allowed to constitute a majority within the Institution, which is and must remain Catholic.

§ 5. The education of students is to combine academic and professional development with formation in moral and religious principles and the social teachings of the Church; the programme of studies for each of the various professions is to include an appropriate ethical formation in that profession. Courses in Catholic doctrine are to be made available to all students(51).

Article 5. *The Catholic University within the Church*

§ 1. Every Catholic University is to maintain communion with the universal Church and the Holy See; it is to be in close communion with the local Church and in particular with the diocesan Bishops of the region or nation in which it is located. In ways consistent with its nature as a University, a Catholic University will contribute to the Church's work of evangelization.

§ 2. Each Bishop has a responsibility to promote the welfare of the Catholic Universities in his diocese and has the right and duty to watch over the preservation and strengthening of their Catholic character. If problems should arise concerning this Catholic character, the local Bishop is to take the initiatives necessary to resolve the matter, working with the competent university authorities in accordance with established procedures (52) and, if necessary, with the help of the Holy See.

§ 3. Periodically, each Catholic University, to which Article 3, 1 and 2 refers, is to communicate relevant information about the University and its activities to the competent ecclesiastical Authority. Other Catholic Universities are to communicate this information to the Bishop of the diocese in which the principal seat of the Institution is located.

Article 6. *Pastoral Ministry*

§ 1. A Catholic University is to promote the pastoral care of all members of the university community, and to be especially attentive to the spiritual development of those who are Catholics. Priority is to be given to those means which will facilitate the integration of human and professional education with religious values in the light of Catholic doctrine, in order to unite intellectual learning with the religious dimension of life.

§ 2. A sufficient number of qualified people-priests, religious, and lay persons-are to be appointed to provide pastoral ministry for the university community, carried on in harmony and cooperation with the pastoral activities of the local Church under the guidance or with the approval of the diocesan Bishop. All members of the university community are to be invited to assist the work of pastoral ministry, and to collaborate in its activities.

Article 7. *Cooperation*

§ 1. In order better to confront the complex problems facing modern society, and in order to strengthen the Catholic identity of the Institutions, regional, national and international cooperation is to be promoted in research, teaching, and other university activities among all Catholic Universities, including Ecclesiastical Universities and Faculties (53). Such cooperation is also to be promoted between Catholic Universities and other Universities, and with other research and educational Institutions, both private and governmental.

§ 2. Catholic Universities will, when possible and in accord with Catholic principles and doctrine, cooperate with government programmes and the programmes of other national and

international Organizations on behalf of justice, development and progress.

TRANSITIONAL NORMS

Art. 8. The present Constitution will come into effect on the first day to the academic year 1991.

Art. 9. The application of the Constitution is committed to the Congregation for Catholic Education, which has the duty to promulgate the necessary directives that will serve towards that end.

Art. 10. It will be the competence of the Congregation for Catholic Education, when with the passage of time circumstances require it, to propose changes to be made in the present Constitution in order that it may be adapted continuously to the needs of Catholic Universities.

Art. 11. Any particular laws or customs presently in effect that are contrary to this Constitution are abolished. Also, any privileges granted up to this day by the Holy See whether to physical or moral persons that are contrary to this present Constitution are abolished.

CONCLUSION

The mission that the Church, with great hope, entrusts to Catholic Universities holds a cultural and religious meaning of vital importance because it concerns the very future of humanity. The renewal requested of Catholic Universities will make them better able to respond to the task of bringing the message of Christ to man, to society, to the various cultures: "Every human reality, both individual and social has been liberated by Christ: persons, as well as the activities of men and women, of which culture is the highest and incarnate expression. The salvific action of the Church on cultures is achieved, first of all, by means of persons, families and educators... Jesus Christ, our Saviour, offers his light and his hope to all those who promote the sciences, the arts, letters and the numerous fields developed by modern culture. Therefore, all the sons and daughters of the Church should become aware of their mission and discover how the strength of the Gospel can penetrate and regenerate the mentalities and dominant values that inspire individual cultures, as well as the opinions and mental attitudes that are derived from it"(54).

It is with fervent hope that I address this Document to all the men and women engaged in various ways in the significant mission of Catholic higher education.

Beloved Brothers and Sisters, my encouragement and my trust go with you in your weighty daily task that becomes ever more important, more urgent and necessary on behalf of Evangelization for the future of culture and of all cultures. The Church and the world have great need of your witness and of your capable, free, and responsible contribution.

Given in Rome, at Saint Peter's, on 15 August, the Solemnity of the Assumption of the Blessed Virgin Mary into Heaven, in the year 1990, the twelfth of the Pontificate.

1 Cf. The letter of Pope Alexander IV to the University of Paris, 14 April 1255, Introduction: *Bullarium Diplomatum...*, vol. III, Turin 1858, p. 602.

2 SAINT AUGUSTINE, *Confes.* X, xxiii, 33: "In fact, the blessed life consists in *the joy that comes from the truth*, since this joy comes from You who are Truth, God my light, salvation of my face, my God". PL 32, 793-794. Cf. SAINT THOMAS AQUINAS, *De Malo*, IX, 1: "It is actually natural to man to strive for knowledge of the truth".

3 JOHN PAUL II, Discourse to the "Institut Catholique de Paris", 1 June 1980: *Insegnamenti di Giovanni Paolo II*, Vol. III/1 (1980), p. 1581.

4 JOHN PAUL II, Discourse to the Cardinals, 10 November 1979: *Insegnamenti di Giovanni Paolo II*, Vol. II/2 (1979), p. 1096; cf. Discourse to UNESCO, Paris, 2 June 1980: AAS 72 (1980), pp. 735-752.

5 Cf. JOHN PAUL II, Discourse to the University of Coimbra, 15 May 1982: *Insegnamenti di Giovanni Paolo II*, Vol. V/2 (1982), p. 1692.

6 PAUL VI, Allocution to Representatives of States, 4 October 1965: *Insegnamenti di Paolo VI*, Vol. III (1965), p. 508.

7 JOHN HENRY CARDINAL NEWMAN, *The Idea of a University*, London, Longmans, Green and Company, 1931, p. XI.

8 *Jn* 14:6.

9 Cf. SAINT AUGUSTINE, Serm. 43, 9: PL 38, 258. Cf. also SAINT ANSELM, *Proslogion*, chap. I: PL 158, 227.

10 Cf. JOHN PAUL II, Allocution to the International Congress on Catholic Universities, 25 April 1989, n. 3: AAS 18 (1989), p. 1218.

11 JOHN PAUL II, Apostolic Constitution *Sapientia Christiana* concerning the Ecclesiastical Universities and Faculties, 15 April 1979: AAS 71 (1979), pp. 469-521.

12 VATICAN COUNCIL II, Declaration on Catholic Education *Gravissimum Educationis*, n. 10: AAS 58 (1966), p. 737.

13 *Mt* 13:52.

14 Cf. *The Magna Carta of the European Universities*, Bologna, Italy, 18 September 1988, "Fundamental Principles".

15 Cf. VATICAN COUNCIL II, Pastoral Constitution on the Church in the Modern World

Gaudium et Spes, n. 59: AAS 58 (1966), p. 1080; Declaration on Catholic Education *Gravissimum Educationis*, n. 10: AAS 58 (1966), p. 737. "Institutional autonomy" means that the governance of an academic institution is and remains internal to the institution; "academic freedom" is the guarantee given to those involved in teaching and research that, within their specific specialized branch of knowledge, and according to the methods proper to that specific area, they may search for the truth wherever analysis and evidence leads them, and may teach and publish the results of this search, keeping in mind the cited criteria, that is, safeguarding the rights of the individual and of society within the confines of the truth and the common good.

16 There is a two-fold notion of *culture* used in this document: the *humanistic* and the *socio-historical*. "The word 'culture' in its general sense indicates all those factors by which man refines and unfolds his manifold spiritual and bodily qualities. It means his effort to bring the world itself under his control by his knowledge and his labor. It includes the fact that by improving customs and institutions he renders social life more human both within the family and in the civic community. Finally, it is a feature of culture that throughout the course of time man expresses, communicates, and conserves in his works great spiritual experiences and desires, so that these may be of advantage to the progress of many, even of the whole human family. Hence it follows that human culture necessarily has a historical and social aspect and that the word 'culture' often takes on a sociological and ethnological sense". VATICAN COUNCIL II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, n. 53: AAS 58 (1966), p. 1075.

17 *L'Université Catholique dans le monde moderne. Document final du 2ème Congrès des Délégués des Universités Catholiques*, Rome, 20-29 November 1972, § 1.

18 *Ibid.*

19 JOHN PAUL II, Allocution to the International Congress on Catholic Universities, 25 April 1989, n. 4: AAS 81 (1989), p. 1219. Cf. also VATICAN COUNCIL II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, n. 61: AAS 58 (1966), pp. 1081-1082. Cardinal Newman observes that a University "professes to assign to each study which it receives, its proper place and its just boundaries; to define the rights, to establish the mutual relations and to effect the intercommunion of one and all". (Op. cit., p. 457).

20 VATICAN COUNCIL II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, n. 36: AAS 58 (1966), p. 1054. To a group of scientists I pointed out that "while reason and faith surely represent two distinct orders of knowledge, each autonomous with regard to its own methods, the two must finally converge in the discovery of a single whole reality which has its origin in God". (JOHN PAUL II, *Address at the Meeting on Galileo*, 9 May 1983, n. 3: AAS 75 [1983], p. 690).

21 JOHN PAUL II, Address at UNESCO, 2 June 1980, n. 22: AAS 72 (1980), p. 750. The last part of the quotation uses words directed to the Pontifical Academy of Sciences, 10 November 1979: *Insegnamenti di Giovanni Paolo II*, Vol. II/2 (1979), p. 1109.

22 Cf. VATICAN COUNCIL II, Declaration on Catholic Education *Gravissimum Educationis*, n. 10: AAS 58 (1966), p. 737.

23 VATICAN COUNCIL II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, n. 59: AAS 58 (1966), p. 1080. Cardinal Newman describes the ideal to be sought in this way: "A habit of mind is formed which lasts through life, of which the attributes are freedom, equitableness, calmness, moderation and wisdom". (*Op. cit.*, pp. 101-102).

24 JOHN PAUL II, Post-Synodal Apostolic Exhortation *Christifideles Laici*, 30 December 1988, n. 44: AAS 81 (1989), p. 479.

25 VATICAN COUNCIL II, Dogmatic Constitution on the Church *Lumen Gentium*, n. 31: AAS 57 (1965), pp. 37-38. Cf. Decree on the Apostolate of the Laity *Apostolicam Actuositatem*, passim: AAS 58 (1966), pp. 837ff. Cf. also *Gaudium et Spes*, n. 43: AAS 58 (1966), pp. 1061-1064.

26 Cf. VATICAN COUNCIL II, Declaration on Religious Liberty *Dignitatis Humanae*, n. 2: AAS 58 (1966), pp. 930-931.

27 JOHN PAUL II, Address to Leaders of Catholic Higher Education, Xavier University of Louisiana, U.S.A., 12 September 1987, n. 4: AAS 80 (1988), p. 764.

28 VATICAN COUNCIL II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, n. 59: AAS 58 (1966), p. 1080.

29 Cf. VATICAN COUNCIL II, Dogmatic Constitution on Divine Revelation *Dei Verbum*, nn. 8-10: AAS 58 (1966), pp. 820-822.

30 Cf. VATICAN COUNCIL II, Dogmatic Constitution on the Church *Lumen Gentium*, n. 25: AAS 57 (1965), pp. 29-31.

31 Cf. "Instruction on the Ecclesial Vocation of the Theologian" of the Congregation for the Doctrine of the Faith of 24 May 1990.

32 Cf. JOHN PAUL II, Encyclical Letter *Sollicitudo Rei Socialis*,
nn. 27-34: AAS 80 (1988), pp. 547-560.

33 PAUL VI, Encyclical Letter *Populorum Progressio*, n. 1: AAS 59
(1967), p. 257.

34 "Therefore, in that there has been a pleasing multiplication of centres of higher learning, it has become apparent that it would be opportune for the faculty and the alumni to unite in common association which, working in reciprocal understanding and close collaboration, and based upon the authority of the Supreme Pontiff, as father and universal doctor, they might

more efficaciously spread and extend the light of Christ". (Plus XII, Apostolic Letter *Catholicas Studiorum Universitates*, with which The International Federation of Catholic Universities was established: AAS 42 [1950], p. 386).

35 The Code of Canon Law indicates the general responsibility of the Bishop toward university students: "The diocesan bishop is to have serious pastoral concern for students by erecting a parish for them or by assigning priests for this purpose on a stable basis; he is also to provide for Catholic university centers at universities, even non-Catholic ones, to give assistance, especially spiritual to young people". (*CIC*, can. 813).

36 "Living in various circumstances during the course of time, the Church, too, has used in her preaching the discoveries of different cultures to spread and explain the message of Christ to all nations, to probe it and more deeply understand it, and to give it better expression in liturgical celebrations and in the life of the diversified community of the faithful". (VATICAN COUNCIL II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, n. 58: AAS 58 [1966], p. 1079).

37 PAUL VI, Apostolic Exhortation *Evangelii Nuntiandi*, n. 20: AAS 68 (1976), p. 18. Cf. VATICAN COUNCIL II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, n. 58: AAS 58 (1966), p. 1079.

38 JOHN PAUL II, Address to Intellectuals, to Students and to University Personnel at Medellín, Colombia, 5 July 1986, n. 3: AAS 79 (1987), p. 99. Cf. also VATICAN COUNCIL II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, n. 58: AAS 58 (1966), p. 1079.

39 PAUL VI, to the Delegates of The International Federation of Catholic Universities, 27 November 1972: AAS 64 (1972), p. 770.

40 PAUL VI, Apostolic Exhortation *Evangelii Nuntiandi*, nn. 18ff.: AAS 68 (1976), pp. 17-18.

41 PAUL VI, Address to Presidents and Rectors of the Universities of the Society of Jesus, 6 August 1975, n. 2: AAS 67 (1975), p. 533. Speaking to the participants of the International Congress on Catholic Universities, 25 April 1989, I added (n. 5): "Within a Catholic University the evangelical mission of the Church and the mission of research and teaching become *interrelated* and *coordinated*": Cf. AAS 81 (1989), p. 1220.

42 Cf. in particular the Chapter of the Code: "Catholic Universities and other Institutes of Higher Studies" (*CIC*, cann. 807-814).

43 Episcopal Conferences were established in the Latin Rite. Other Rites have other Assemblies of Catholic Hierarchy.

44 Cf. *CIC*, Can. 455, § 2.

45 Cf. *Sapientia Christiana*: AAS 71 (1979), pp. 469-521. Ecclesiastical Universities and

Faculties are those that have the right to confer academic degrees by the authority of the Holy See.

46 Cf. VATICAN COUNCIL II, Declaration on Religious Liberty *Dignitatis Humanae*, n. 2: AAS 58 (1966), pp. 930-931.

47 Cf. VATICAN COUNCIL II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, nn. 57 and 59: AAS 58 (1966), pp. 1077-1080; *Gravissimum Educationis*, n. 10: AAS 58 (1966), p. 737.

48 Both the establishment of such a university and the conditions by which it may refer to itself as a Catholic University are to be in accordance with the prescriptions issued by the Holy See, Episcopal Conference or other Assembly of Catholic Hierarchy.

49 Canon 810 of CIC, specifies the responsibility of the competent Authorities in this area: § 1 "It is the responsibility of the authority who is competent in accord with the statutes to provide for the appointment of teachers to Catholic universities who, besides their scientific and pedagogical suitability, are also outstanding in their integrity of doctrine and probity of life; when those requisite qualities are lacking they are to be removed from their positions in accord with the procedure set forth in the statutes. § 2 The conference of bishops and the diocesan bishops concerned have the duty and right of being vigilant that in these universities the principles of Catholic doctrine are faithfully observed". Cf. also Article 5, 2 ahead in these "Norms".

50 VATICAN COUNCIL II, Dogmatic Constitution on the Church *Lumen Gentium*, n. 25: AAS 57 (1965), p. 29; *Dei Verbum*, nn. 8-10: AAS 58 (1966), pp. 820-822; Cf. *CIC*, can. 812: "It is necessary that those who teach theological disciplines in any institute of higher studies have a mandate from the competent ecclesiastical authority".

51 Cf. *CIC*, can 811 § 2.

52 For Universities to which Article 3 §§ 1 and 2 refer, these procedures are to be established in the university statutes approved by the competent ecclesiastical Authority; for other Catholic Universities, they are to be determined by Episcopal Conferences or other Assemblies of Catholic Hierarchy.

53 Cf. *CIC*, can. 820. Cf. also *Sapientia Christiana*, Norms of Application, Article 49: AAS 71 (1979), p. 512.

54 JOHN PAUL II, to the Pontifical Council for Culture, 13 January 1989, n. 2: AAS 81 (1989), pp. 857-858.

Ordinances Issued by Canadian Conference of Catholic Bishops

ORDINANCES
ISSUED BY
CANADIAN CONFERENCE OF CATHOLIC BISHOPS
IN VIEW OF
THE CORRECT APPLICATION
OF THE APOSTOLIC CONSTITUTION
EX CORDE ECCLESIAE

PREAMBLE

From earliest times, the Roman Catholic Church in Canada has sought to provide opportunities for higher education for indigenous peoples and Catholic settlers. In successive generations, clergy, religious and laity have joined together to promote and to preserve this precious educational legacy. Public demand—by Catholics and others—for the services provided by Catholic postsecondary institutions remains high.

The Church's universal interest in higher education continues to thrive and find expression in the particular history of Catholic colleges and universities in Canada. Canadian society clearly values such contributions to the well-being of society, which finds expression in the level of financial support offered by most public constituencies as well as privately.

As the number of those seeking higher education seems destined to continue to increase in coming decades and with educational possibilities being made available to the poor, older persons and others, Canadian Catholic institutions of higher learning are poised to meet the needs of society and the Church. Linking faith and reason in tertiary level education stands to benefit not only society at large, but the Church's mission too by the education and formation of youth in the faith, theological reflection on pressing cultural issues and the training of laity to fulfill of roles of special service in the Church (in such fields as catechetics, pastoral care of the sick and imprisoned, the good management of parishes, etc).

Catholic Educational Institutions in Canada

Catholic universities and university colleges in Canada operate in a complex organizational, legal, and cultural situation, which shapes their educational opportunities

and activities, whether these institutions are “free-standing” universities or university colleges formally related to a parent institution. A few of Canada's Catholic colleges and universities are free-standing institutions in the sense that they have no formal relationship with a secular provincial university; the remaining colleges are federated or affiliated with a constituent university, which is part of a provincial university. Some of these institutions offer an extensive range of academic disciplines, whereas others offer programs and courses principally in more traditionally defined Catholic areas, such as religious education, philosophy and the like. The Catholic culture, intellectual tradition, and attendant spiritual issues of each institution will be addressed within the framework in which it exists and will do so through its courses, its chaplaincy, and the Catholic ambiance that all members of the academic community will endeavour to maintain and develop (*ECE*, Nos. 13-14; Art. 2 § 4; Art. 4 § 1).

Jurisdiction of the Provinces in Matters of Education

In accordance with constitutional arrangements, education in Canada falls within the jurisdiction of the provinces. Provinces regulate the number and kinds of universities by the granting of charters, by determining the essentials of the acts of incorporation, and by providing the major part of the funding. Canadian Catholic colleges and universities have a religiously pluralistic student body.

Standards of Accepted University Practice

Catholic institutions, reflecting the Catholic traditions of excellence and of openness to a diversity of cultures, follow the standards of accepted university practice and norms, which have been adopted in Canada, including respect for the linguistic rights and cultural aspirations of Canadians.

In addition, as part of a provincial university, federated and affiliated universities and colleges usually use the curriculum requirements and academic regulations established by the senates and legislative bodies of the constituent university.

Canadian System of Universities

Canada has a highly developed and diversified system of universities, which fosters academic excellence and professorial professionalism. Catholic institutions strive to adhere to these standards, which guarantee a high level of professional competence at the university level (*ECE*, No. 37; Art. 7).

Role of Ecclesiastical Authorities

In order then to fulfill his pastoral role and to ensure that the institution preserve its Catholic identity, the diocesan bishop or other competent ecclesiastical authority should, in consultation and cooperation with the appropriate university and college authorities, establish forms of their ongoing collaboration. Such collaboration is not only an ideal, but

it is also a time-honored Canadian practice. By and large, internal university and college administrative authority is legally entrusted to lay boards of trustees on which there tends traditionally also to be both a Roman Catholic and clerical presence.

To facilitate dialogue and planning on matters of mutual interest, in 1985 the various heads of Catholic Universities and University Colleges in Canada established the Association of Catholic Colleges and Universities in Canada (ACCUC).

For its part, the Canadian Conference of Catholic Bishops acknowledges its right and duty to promote Catholic universities and colleges, as well as to foster their excellence through pastoral leadership and public signs of support. By their Catholic character, these institutions must keep in close link with the country's bishops and, in a manner appropriate to their intellectual purpose, take their part in the Church's common mission, in particular as regards the task of evangelization, the development of mature faith and moral discernment, as well as dialogue of the faith with contemporary culture (*ECE*, Nos. 43-49).

ORDINANCES
FOR THE IMPLEMENTATION
OF THE
APOSTOLIC CONSTITUTION
EX CORDE ECCLESIAE

Art. 1 – The Nature of these Ordinances

§ 1 - These Ordinances are applicable to all Catholic universities, university colleges, and other institutions of postsecondary education within the territory of the Canadian Conference of Catholic Bishops, contrary particular laws, customs, or privileges notwithstanding.

§ 2 - The General Norms of the Apostolic Constitution as well as the present ordinances are to be made known to respective university or college Boards of Governors.

§ 3 - The Norms of the Apostolic Constitution are to be annexed to the statutes, bylaws or comparable documents of the institution.

§ 4 - It pertains to the competent ecclesiastical authority to see to the application of the present ordinances, particularly that relating to the preservation of the Catholic character

of the colleges and universities, taking into account the statutes of the institution and, as far as possible and appropriate, the civil legislation that governs it.

Art. 2 – The Nature of a Catholic University

In virtue of its Catholic institutional commitment and in accordance with the provision of *Ex Corde Ecclesiae*, Art. 2, § 3, each Catholic university or college shall have a mission statement or some other public document, prepared in consultation with the competent ecclesiastical authorities, and which will identify:

- 1) the Catholic identity of the institution;
- 2) its educational purpose;
- 3) its institutional philosophy.

Art. 3 – The Establishment of a Catholic University

§ 1 - Any official request aiming at the establishment of a Catholic university or college, whether it comes from a private person or from a secular or ecclesiastical juridical person, must be submitted to the bishop of the diocese where the institution has its registered office.

- 1) This request will include:
 - the motives that support the recognition of the university or college as a Catholic institution;
 - its financial resources;
 - its academic programs;
 - its institutional policies as regards the faculty and the student body;
 - the ways by which the institution intends to fulfill the Norms of the Apostolic Constitution and the present ordinances.
- 2) To this request will be added:
 - the text of the statutes;
 - the text of its mission statement;
 - a list of the members of the teaching staff;
 - a description of the library and an indication of financial resources intended for its development;
 - the advice of the ACCUC concerning the proposed establishment.

§ 2 - If such a request is presented to a meeting of bishops of the same civil province, it cannot be accepted without the prior agreement of the local bishop where the head office of the university is located.

Art. 4 – The University Community

§ 1 - The specific duties that stem from the Catholic identity of the institution shall be made known to Catholic and non-Catholic appointees at the time of hiring. All are expected to promote, or at least respect, the Catholic character and tradition of the institution as articulated in its mission statement (*ECE*, Art. 4 § 2).

§ 2 - For this purpose, administrative personnel and faculty will receive a copy of the institution's mission statement, a statement of its institutional philosophy, and the academic calendar, which articulates the ethics of the institution.

§ 3 - In order to maintain and safeguard their freely chosen identity, Catholic universities and colleges set out clearly in their official documentation their Catholic character and implement in practical terms their commitment to the elements of Catholic scholarship, of which academic freedom is an essential component. Other activities include a duty to serve others, particularly the poor, underprivileged and vulnerable members of society, to provide courses for students on Catholic moral and religious principles and their application to critical issues such as human life and other issues of social justice, to care pastorally for students, faculty, administration and staff, to create a campus culture and environment that is expressive and supportive of a Catholic way of life.

§ 4 - Catholic postsecondary educational institutions shall ensure the availability of courses that will assist students in the deepening of their knowledge of the Roman Catholic tradition and in developing their capacity for sound moral discernment. Catholic theology shall be given an important place in programs (C.I.C. 811; *ECE*, No. 19, Art. 4 § 5).

§ 5 - These institutions shall strive to recruit teachers with acknowledged pedagogical skills, exemplary character and appropriate academic preparation, providing for the appointment of teachers who are outstanding in their integrity of doctrine and probity of life.

§ 6 - In accordance with its procedures for the hiring and retention of professionally qualified faculty, the university or college should strive to appoint Catholics who are committed to witness to the faith as professors and senior administrators, so that, to the extent possible, those committed to the witness of the faith will constitute a significant number. All professors are to exhibit not only academic competence but exemplary character as well. A faithful reception of Catholic doctrine and morals in research and teaching is expected of Catholic teachers and at least respect for the same on the part of non-Catholic personnel. When these qualities are found to be lacking, the college or university statutes are to specify a just and fair process to remedy the situation and meet the expectations set out in this Article (cf. C.I.C., can. 810 § 1).

§ 7 - Catholic faculty members who teach Catholic theological disciplines are obliged by canon law, and they are expected to obtain the appropriate mandate from the diocesan bishop (C.I.C., can. 812).

Art. 5 - The Catholic University within the Church

§ 1 - The duty of vigilance mentioned in the *Code of Canon Law* (can. 810 § 2) and in the Apostolic Constitution (*ECE*, General Norms, 4 § 1; 5 § 2) is fulfilled by the diocesan bishop or by the diocesan bishops concerned who have recognized the institution. In the case of the universities mentioned in Art. 3 § 2 of the Apostolic Constitution, this duty is fulfilled, with due regard for canons 586 and 678, by the diocesan bishop and by the diocesan bishops concerned.

§ 2 - At the level of formal communication, the statutes will determine how the ecclesiastical authority will be kept informed on the functioning and progress of the institution (in conformity with what is established in Art. 5 § 3 of the Apostolic Constitution *ECE*).

§ 3 - The competent ecclesiastical authority and the university or college authority are to observe approved procedures for the resolution of conflicts on matters of church law or doctrine. Whenever possible, disputes about church doctrine should be resolved in an informal manner (cf. C.I.C., can. 1733). At times, the resolution of such matters may benefit from doctrinal dialogue.

Art. 6 – Pastoral Ministry

§ 1 - Each university and college shall provide chaplaincy services to meet the pastoral needs of the academic community (*ECE*, Nos. 38-42; Art. 6 § 1).

§ 2 - After presentation of the candidate's name by the college or university authority, the diocesan bishop appoints a priest or cleric to the office of chaplain. In accord with established customs, laypersons are appointed to campus ministry (C.I.C., can. 813; *ECE*, Art. 6 § 2). Campus ministers who are members of religious institutes or societies of apostolic life additionally must be recommended by their major superior.

Art. 7 – Cooperation

§ 1 - Catholic institutions should strive to cooperate among themselves through the Association of Catholic Universities and Colleges in Canada as well as with ecclesiastical faculties and seminaries that may not be members and with other Catholic and ecclesiastical universities and faculties elsewhere. Also commended is the participation of Catholic institutions and personnel with their state and private peers in professional societies.

§ 2 - In collaborating with governmental agencies, regional associations and other universities, whether public or private, Catholic universities should give corporate witness to and promote the Church's social teaching and its moral principles in areas such as the fostering of peace and justice, respect for all human life, the eradication of poverty and unjust discrimination, the development of all peoples and the growth of human culture.

§ 3 - Catholic universities should commit themselves to cooperate in a special way with other Catholic universities, institutions and professional associations in Canada and abroad to build up the entire Catholic academic community.

Conclusion

These ordinances for the implementation of the Apostolic Constitution *Ex Corde Ecclesiae* were approved by the Canadian Conference of Catholic Bishops as of 17 October 2003, in accordance with Art. 1 § 2 of the General Norms of the Constitution; they were reviewed by the Apostolic See on 18 August 2004, with the *nihil obstat* for the French-language version confirmed on 11 December 2004.

St. Jerome's University Application of Ordinances

St. Jerome's University presents the following statement of response to articulate its application of the Ordinances for Implementation.

Art. 1 - The Nature of these Ordinances

§ 1 - With regard to the notwithstanding clause and recognizing the distinction between civil and canon law, the St. Jerome's University Bylaw states, "in exercising the business of the University, the Board shall conform to *Ex Corde Ecclesiae*" (Art 2.11).

§ 2 - The General Norms of the Apostolic Constitution *Ex Corde Ecclesiae* was most recently presented to the St. Jerome's University Board of Governors on December 1, 2016. All new members to the Board of Governors are provided with a copy of *Ex Corde Ecclesiae* as part of their Board Handbook. Additionally, all new members of the Board are informed about their fiduciary responsibilities with respect to the application of *Ex Corde Ecclesiae* during the Board Orientation process. Board members are reminded of their responsibilities to the application of *Ex Corde Ecclesiae* as part of their Board term reappointment process.

§ 3 - The St. Jerome's University Bylaw states, "in exercising the business of the University, the Board shall conform to *Ex Corde Ecclesiae*" (Art 2.11). A copy of *Ex Corde Ecclesiae*, the Ordinances, and the compliance document are annexed as Appendix 1 of The St. Jerome's University Bylaw.

§ 4 - St. Jerome's University was established under civil law in the Province of Ontario in the *St. Jerome's University Act, 2000, S.O. c. Pr34* (the Act) and establishes the responsibility and composition of the Board of Governors in overseeing the affairs of the University. The Act establishes the membership of the Board of Governors and the Board's fiduciary responsibilities. By virtue of the Act, the Bishop of the Diocese of Hamilton (or his designate) is a voting member of the Board of Governors and is the ecclesiastical authority in the application of the Ordinances. Also defined in the Act, the Provincial Superior of the Ontario-Kentucky Province of the Congregation of the Resurrection, our founding religious group, is a voting member of the Board of Governors and provides ecclesiastical oversight. Membership on the Board of Governors includes twelve (12) elected voting members from the broader community, as well as faculty, staff, students, and alumni of St. Jerome's University. Furthermore, the Act requires the President and Vice-Chancellor of the University to be Catholic.

The St. Jerome's University Bylaw (the Bylaw) describes the structure and manner in which the University operates and provides clarification to the Act. Supporting the Act and the Bylaw are a number of Policies and Procedures. All of these governing documents are available under the Accountability section of the St. Jerome's University website (www.sju.ca).

Art. 2 - The Nature of a Catholic University

The Catholic nature of St. Jerome's University is identified in the 2000 *Consolidated Act of Incorporation for St. Jerome's University* under the Objects of the University. The

Bishop of the Diocese of Hamilton recognizes St. Jerome's University as a Catholic university. The Catholic identity of the University is further developed in the University Strategic Plan – Building on Tradition (2016-2021). The Strategic Plan includes the vision and mission statements of the University, which further reflect on the Catholic expression of the University. It is important to note that we have not wavered from the 150-year-old educational vision of our founders, as indicated in our University Mission. The first two strategic commitments describe our identity as a liberal arts university grounded in the principles of Academic Freedom and our Catholicity, embracing the gospel values of love, truth, and justice as exemplified by Jesus to encourage the intellectual, spiritual, and social development of the whole person.

Art. 3 - The Establishment of a Catholic University

As St. Jerome's University is an already established institution, this section is not applicable. Father Louis Funcken of the Congregation of the Resurrection founded St. Jerome's College in 1865. In the 1959 *Act of Incorporation*, St. Jerome's College was proclaimed as an independent university known as the University of St. Jerome's College. The University of St. Jerome's College entered into a federation agreement with the University of Waterloo in 1960. In 1988, a new *Act of Incorporation* introduced two noteworthy changes: (i) someone other than the Diocesan Bishop was eligible to serve as Chancellor and (ii) the elimination of the requirement that the President be a member of the Congregation of the Resurrection, opening the possibility of a lay President. In December 2000, the province granted the *Consolidated Act of Incorporation for St. Jerome's University*, which established the current composition of the Board of Governors and officially changed the name to St. Jerome's University, clarifying St. Jerome's University's status as a federated university and a founding university of the University of Waterloo, and formally recognizing the ability of St. Jerome's University to grant graduate degrees.

Art. 4 - The University Community

§ 1 - The hiring practices at St. Jerome's University have been established to promote and respect the Catholic identity and tradition to all members of our Board, administration, faculty, and staff. Our recruiting, appointing, and hiring practices are also in compliance with all civil legislation.

The Board of Governors has fiduciary responsibility over the mission of the University and hence the Catholic identity. The appropriate ecclesiastical authority, the Bishop of the Diocese of Hamilton or his designate, is a voting member of the Board. While not all Board members are Catholic, they are required to uphold and support our Catholic identity, mission, and Catholicity. All new governors are provided with copies of *Ex Corde Ecclesiae*, the ordinances, and our compliance document as part of the Board orientation process.

In accordance with the 2000 *Consolidated Act of Incorporation for St. Jerome's University*, both the Chancellor and Vice-Chancellor (President) must be Roman Catholic and are expected to promote the Catholic character and tradition of the institution as expressed in the mission statement.

At St. Jerome's University, no other employee is required to be Catholic, but all are expected to respect the Catholic character and tradition of the institution as articulated in the mission statement.

Administrative hiring practices are described in Board (Chancellor and Vice Chancellor) and University (Vice Presidents, Academic, Administration, and Associate Dean) policy statements and guidelines. The contracts for these appointments include the following:

“The ... shall be bound by and shall faithfully observe and abide by Ex Corde Ecclesiae as well as the bylaws, rules, regulations and policies of the University, as amended.”

Academic staff, including tenure stream faculty and contract academic staff, are governed by collective agreements and academic policies contained in the University Academic Operations Manual. The collective agreements affirm the mission of St. Jerome's University as a public Catholic University, federated with the University of Waterloo.

Staff hiring practices are described in the St. Jerome's University Staff Manual. All job descriptions contain the following statement:

“St. Jerome's University provides a culture and environment for employees that endeavor to promote the mission of the University. Employees are expected to contribute to the larger institutional goals and conduct themselves in a manner that fosters the prevailing sense of collegiality among faculty, staff and students.”

§ 2 - All Board members, administrative personnel, faculty, and staff have access through our website to the *Act*, which articulates the Objects of the University, as well as the Bylaw, *Ex Corde Ecclesiae*, the Strategic Plan (which includes the vision and mission statements) and the Academic Plan. These documents define and articulate the ethics and philosophy of the University. The documents are publicly available under the public accountability section of our website at www.sju.ca. All members of our community are encouraged to read these documents.

§ 3 - Official documentation regarding the Catholic character of St. Jerome's University and its courses of study are set out in the St. Jerome's University's founding documents, including the *St. Jerome's University Act, 2000, S.O., 2000, c. Pr 34*, and the supporting St. Jerome's University Bylaw. The University's Strategic Plan sets out in practical terms our focus and implementation of our commitment to our Catholic identity and to academic freedom. The Academic Plan details in practical terms our commitment to a Catholic liberal arts education founded on the principles of academic freedom and centered on the education of the whole person – body, mind, and soul.

St. Jerome's University Centre for Responsible Citizenship provides a number of opportunities for social justice education for students and our community. Our duty to serve others, particularly marginalized and vulnerable members of our society are captured in a variety of our academic programming, including but not limited to Sexuality, Marriage, and Family Studies; Religious Studies; Beyond Borders; and in our co-curricular programs, including but not limited to SJU in Peru, Encounter K-W (Alternative Reading Week), and Relay for Life. Our academic and student life programming affords our students the opportunity to consider and experience first-hand the

moral, ethical, and social issues facing our world today, and to critically reflect on issues that impact human life and dignity and other social justice issues. At St. Jerome's University, our vision is to steward each students' unique talents, nurture their ability to think critically, and inspire them to become life-long learners who seek knowledge and truth, act with compassion, and advocate for human dignity for all. Our goal is to educate our students to become informed, courageous citizens who have the humility to work together for the common good and the courage to lead by example to build a more just society.

St. Jerome's University Lectures in Catholic Experience provide our community a public forum for discussion of issues of spirituality and justice, from a faith-based perspective. Focused on today's pressing issues, our lectures are informative and provocative. We encourage dialogue from different perspectives. In this way we hope to facilitate and broaden our understanding of issues and viewpoints held in our pluralistic society, so that we can promote dignity and respect for all members of our community and society.

The Director of Campus Ministry, with the support of the Campus Ministry team and the Office of the President, leads the pastoral care of our community. St. Jerome's University supports a Campus Ministry team that is available to assist members of the University community to live a sacramental life and provides opportunities to come together to worship as a Catholic community. Campus Ministry provides space for our community to explore their spirituality through engagement in social justice initiatives and offers a variety of programs for faith development. It is a place where individuals can come to discern life choices and grow in their understanding of the spiritual aspect of their being.

§ 4 – At St. Jerome's University, our mandate to provide an intellectual witness to the richness of the Catholic tradition is fulfilled through the Masters in Catholic Thought (MCT) program. This program provides witness to the richness of the Catholic tradition in as many disciplines as is empowered by our federated agreement with the University of Waterloo and our own unique programming. The MCT program is designed for Catholic and non-Catholic participants who provide leadership in such areas as health care, social services, and education, and who desire to bring the richness of Roman Catholic thought to their lives and work.

At the undergraduate level, we offer an interdisciplinary minor in Catholic Studies, which draws on courses from Religious Studies, Philosophy, History, and English. Among the courses that have an explicitly Catholic focus (which may or may not be taken as part of the Catholic Studies minor) are Roman Catholicism, Shapers of Roman Catholic Thought, and Catholic Social Thought. A number of our Religious Studies courses are based on Catholic teaching (e.g., Current Ethical Issues; Justice, Peace, and Development). Additionally, our courses in Philosophy (e.g., The Moral Life, Philosophy of Life and Death, and Practical Ethics) are firmly rooted in the Catholic intellectual tradition.

§ 5 – Faculty recruitment and hiring processes at St. Jerome's University are ingrained in a culture of collegial, bicameral governance rooted in the Catholic intellectual tradition. Moreover, the terms and conditions of faculty employment are stated in two collective agreements between the St. Jerome's University Academic Staff Association (SJU ASA) and the St. Jerome's University Board of Governors. The first collective agreement is with the full-time bargaining unit of the SJU ASA

(expiry of April 30th, 2023), and the second agreement is with the contract academic staff bargaining unit (expiry April 30th, 2022).

Our Strategic Plan and our Academic Plan highlight the importance the University places on our commitment to the Catholic intellectual tradition and Catholic social teaching in all of our programming.

§ 6 – St. Jerome’s University is a publicly funded institution federated with the University of Waterloo. In accordance with the legislation of Ontario, all advertisements for full-time faculty and staff contain the following text:

“St. Jerome’s University, situated in the heart of the University of Waterloo campus, is a public Roman Catholic university federated with the University of Waterloo since 1960. The University is committed to advancing the Catholic intellectual tradition by supporting and encouraging academic freedom. We welcome faculty and students from all faiths and backgrounds.”

Just and fair processes to address faculty underperformance and misconduct are stated in the Collective Agreement between the St. Jerome’s University Academic Staff Association full-time unit and the St. Jerome’s University Board of Governors (expiry of April 30, 2023).

§ 7 - It is the expectation of St. Jerome’s University that regular faculty to whom this article applies will seek the appropriate mandate from their appropriate ecclesiastical authority. This will normally be the Ordinary of the Roman Catholic Diocese of Hamilton, Ontario. Catholic faculty members at St. Jerome’s University teaching theological disciplines in the Masters of Catholic Thought program are expected to seek and obtain the appropriate mandate. The mandate is not required for those teaching in the Department of Religious Studies as these courses are not theological or doctrinal, but rather examine the phenomenon of religion from a variety of disciplinary perspectives.

Art. 5 - The Catholic University within the Church

§ 1 - This article addresses a responsibility of the Ordinary of the Diocese. In accordance with the *St. Jerome’s University Act, 2000, S.O., 2000, c. Pr 34* the Bishop (or his designate) is an *ex officio*, voting member of the Board of Governors. St. Jerome’s University is pleased to cooperate with the Bishop of Hamilton and enjoys a collaborative, supportive relationship. The Bishop (or his designate) regularly presides at liturgical celebrations and attends other events hosted by the University. The Bishop provides a scholarship to our graduating student who best exemplifies the Catholic values of the University.

§ 2 - The *St. Jerome’s University Act, 2000, S.O., 2000, c. Pr 34* provides for the Bishop of the Diocese of Hamilton to appoint his representative to sit on St. Jerome’s University Board of Governors. Currently, the Vicar of Education is the Bishop’s designate on the St. Jerome’s University Board of Governors. The Bishop is kept informed about St. Jerome’s University through communication with his representative and with the President of St. Jerome’s University.

§ 3 - St. Jerome's University is pleased to cooperate with the Bishop of Hamilton in seeking resolution to any matters that may arise. The President and the Bishop have direct lines of communication as required and try to meet at a minimum annually to update each other. The Board of Governors meets with the Bishop biannually.

Art. 6 – Pastoral Ministry

§ 1 - A description of the services provided by St. Jerome's University Campus Ministry is available at [sju.ca/Campus Ministry](http://sju.ca/Campus%20Ministry). The vision of Campus Ministry at St. Jerome's University is to create a Campus Ministry space that is open, supportive, and inclusive, where all of our students, staff, and members of our worshipping community feel valued and welcome. The renewal and expansion of our campus has enabled us to provide a dedicated space for Campus Ministry programming, and a place of prominence for our chapel.

§ 2 - St. Jerome's University's chaplains are appointed with the approval of the Bishop of Hamilton. The Director of Campus Ministry fulfills the role of Chaplain and with the permission of the Bishop, leads Campus Ministry. The Spiritual and Student Development Advisor supports the Director in this role.

Art. 7 – Cooperation

§ 1 - St. Jerome's University belongs to the Association of Catholic Colleges and Universities of Canada (ACCUC), the Association of Catholic Colleges and Universities (ACCU), the International Federation of Catholic Universities (IFCU), the Canadian Catholic Campus Ministers Association (CCMA), and the Diocesan Campus Ministers.

We are also members of the major secular umbrella organization for universities in Canada, the Association of Universities Canada (UnivCan), Canadian Association of Business Officers (CAUBO), Canadian University Board Association (CUBA), and the National Vice Presidents Academic Council (NatVac).

§ 2 - As a Catholic liberal arts university that is federated with the University of Waterloo, St. Jerome's University is ideally positioned to promote and provide witness to Catholic values and teaching. St. Jerome's deliberately fosters ecumenical collaboration with the other denominational university colleges affiliated with UW – Conrad Grebel, Renison, and St. Paul's, as well as with the University of Waterloo. We are an active member of the University of Waterloo Chaplains' Association and are often called upon to assist students and members of the University of Waterloo campus community who are in need of support.

All students on the Waterloo campus, regardless of which institution they are registered through, are eligible to participate in all programs offered by St. Jerome's University. The various programs and initiatives undertaken by the St. Jerome's University Centre for Responsible Citizenship and the Discovery Lab intentionally focus on issues of social justice and spirituality. These programs attract participants from the broader university population, as well as serve the wider community. Through the Centre for Responsible Citizenship and the Discovery Lab, students engage locally and abroad with governmental and non-governmental organizations. This engagement provides our students the

opportunity to learn from these diverse experiences about leadership, community development, creation care, capacity building, and international development.

§ 3 - St. Jerome's University is a full voting member of the Association of Catholic Colleges and Universities of Canada (ACCUC), the Association of Catholic Colleges and Universities (ACCU), and the International Federation of Catholic Universities (IFCU).

St. Jerome's University has also signed partnership agreements with a number of Catholic Institutions, including a Partnership Agreement with the Diocese of Hamilton and the six Catholic District School Boards and the French Board; Ontario Catholic Supervisors Officers Association (OCSOA); Waterloo Catholic District School Board (WCDSB), Wellington Catholic District School Board (CDSB), Brant Haldimand Norfolk Catholic District School Board (BHNCDSB), and Leadership Waterloo Region.

As a member of the Catholic community in the Diocese of Hamilton, we work closely with the parishes and other Catholic agencies in the Diocese and globally. We support a variety of social justice initiatives within the parishes and schools, and by sharing their experiences, our students serve as role models and mentors for elementary and secondary students. We recognize individuals every year who have demonstrated Catholic values in leadership, and whose actions have contributed to the building of a more just society, by granting them the Chancellor John Sweeney Award for Catholic Leadership. These recipients reflect our distinctive educational spirit and vision of Catholic education as established by our founding religious group, and serve as role models for Catholic leadership in the community.

At St. Jerome's University, we are a diverse and inclusive community. Our commitment is to create a place where all feel welcome. We make our space accessible and available as we live our call to ecumenism.