

**STATUTES OF THE JESUIT SCHOOL OF THEOLOGY
OF SANTA CLARA UNIVERSITY
Preamble**

In the foreword to the Apostolic Constitution on Ecclesiastical Universities and Faculties, *Veritatis Gaudium* (2017) (VG), Pope Francis calls for a renewal and revival of ecclesiastical studies for a missionary Church that goes forth to spread the joy of the Gospel. Reflecting on the Church's tradition in light of the Second Vatican Council and on the needs and questions of God's faithful people today, he offers four criteria to guide this renewal:

1. Deep reflection and meaningful presentation of the Gospel of Jesus Christ, which calls us not simply to greater union with God but to solidarity with others, especially the poor, and with the natural world.
2. Authentic dialogue that leads to a culture of encounter with other Christians, with those from other faith traditions, and with all people of good will.
3. Inter-disciplinary and cross-disciplinary approaches to the study of theology, promoting a synthesis of knowledge that reveals the unity in difference of all expressions of truth.
4. Networking and collaboration among ecclesiastical faculties, universities, and other research centers to deepen our understanding of how the Gospel is encultured in different countries and cultures, and to find ways to address the pressing issues facing humanity today. (VG, art. 4)¹

Reflecting on these criteria, in light of our distinctive mission in the Church, the Jesuit School of Theology of Santa Clara University presents these Statutes which organize our labor for the greater glory of God and our service to the world.

Jesuit universities have always been at the frontier where the Church meets the world and the world meets the Church, interpreting one for the other. This position is especially true for schools of theology. In a letter to the theology faculty of the Catholic University in Argentina (UCA) in 2015, Pope Francis wrote:

Teaching and studying theology means living on a frontier, one in which the Gospel meets the needs of the people to whom it should be proclaimed in an understandable and meaningful way. We must guard against a theology that is exhausted in academic

¹ These statutes will refer to the relevant sections of *Veritatis Gaudium* or other Church documents that govern JST as an ecclesial faculty. The convention will be to cite the document in a parenthetical by its initials, followed by the article, and subsection or sub paragraph, if any. For example, *Veritatis Gaudium*, article 4 will be noted as follows: (VG, art. 4).

dispute or one that looks at humanity from a glass castle. You learn so as to live: theology and holiness are inseparable.

Pope Francis' words echo questions we often ask: *"Theology for what purpose? For whom?"* In a community of teachers and students, which includes Jesuits, other religious, clergy and lay men and women, we explore how theology can express God's mercy, as we attend to the concrete realities of people, especially those most on the margins. In this way, pastoral realities and the lived experience of people are the primary sources for theological reflection and understanding Christian life. Our theological inquiry and practice are deepened through our associations with the other schools of Santa Clara University, with the Graduate Theological Union in Berkeley, a vibrant ecumenical and inter-religious consortium of schools of theology, and with the University of California-Berkeley, one of the premier public universities in the United States.

At the Jesuit School of Theology, we commit ourselves to the culturally contextualized study and practice of theology. We strive to equip our students with skills to both analyze and critique culture. We study and teach theology always in dialogue with the different communities of which we are a part. Given the composition of the Church in the western United States, we have a particular concern for Hispanic and Asian communities. Through immersive learning courses and ministerial field education, we listen to the hopes and fears, the aspirations and challenges, of those with whom we work and serve. We benefit from their wisdom. We strive to accompany others in their authentic development as human beings, particularly those who are poor and marginalized. In this accompaniment, we also grow in our vocations as scholars, teachers, and human beings living in faith, hope, and love.

As a Jesuit institution, we also take seriously the call of the 36th General Congregation of the Society of Jesus to be agents of reconciliation. Significantly, the General Congregation stressed that "reconciliation is always a work of justice, a justice discerned and enacted in local communities and contexts." (Decree 1, n.21) The work of reconciliation, which leads to lasting peace, means bringing ourselves closer to God, restoring bonds of kinship with others, and healing our natural world. As a result, we search for ways to bridge hurtful divisions in the Church and in our world. The complex divisions, due to religious, economic, ideological, ethnic, racial, and social differences, are not easily remedied. Yet, universities, especially theology centers, are uniquely suited to envision and enact reconciliation in our divided world, modeling dialogue instead of confrontation. This work of reconciliation is aided by our networking with other schools of theology sponsored by the Jesuits around the world and by our diverse community of students, faculty and staff.

The mission of reconciling always involves promoting a more faith-filled and just world. Standing on the frontier today of an increasingly fragmented world, we strive to build

bridges and restore bonds through deep reflection, tireless advocacy, and steadfast commitment. In doing so, we respond humbly and generously to Pope Francis’s summons to theology faculties:

Theology is an expression of a Church which is a “field hospital,” which lives her mission of salvation and healing in the world. Mercy is not just a pastoral attitude but it is the very substance of the Gospel of Jesus. I encourage you to study how the various disciplines — dogma, morality, spirituality, law, and so on — may reflect the centrality of mercy. Without mercy our theology, our law, our pastoral care run the risk of collapsing into bureaucratic narrow-mindedness or ideology, which by their nature seeks to domesticate the mystery. (UCA Letter, 2015)

Inspired by the call of Pope Francis and the Society of Jesus, and motivated by commitment to our academic disciplines, we have articulated our present mission and future vision as a theology center in the following way:

Mission: The Jesuit School of Theology educates scholars and ministers to serve the Church and society by enlivening faith, promoting reconciliation, laboring for justice, and participating in God’s mercy. We bring theology into dialogue with communities, with their particular histories and cultures, serving people and learning from them in a spirit of solidarity.

Vision: The Jesuit School of Theology will offer an integrative, interdisciplinary theological education, blending intellectual and spiritual formation, to empower students and faculty to respond concretely to the hopes and needs of God’s people.

The Statutes that follow enable us to embody our mission and realize our vision.

Section I

THE NAME, NATURE, AND PURPOSE

Veritatis Gaudium (VG, art. 1-10); *Norms of Application* (NA, art. 1-8)

Article 1. The name of this institution is the Jesuit School of Theology of Santa Clara University (“JST”), which is civilly accredited as a school of Santa Clara University (“SCU”) and was constituted an ecclesiastical Faculty² of theology on August 25, 1945, under its

² When referring to JST’s teachers as part of an *ecclesiastical Faculty* according to *Veritatis Gaudium*, this document will indicate this by capitalizing the word *Faculty*. Elsewhere, when referring to academic

predecessor Alma College. SCU is a Catholic university under the sponsorship of the Society of Jesus. (cf. *VG*, art. 2, par. 2)

Article 2. The general purposes of the Faculty are those set forth in Article 3 of the Apostolic Constitution *Veritatis Gaudium*. It is the intent of these Statutes to provide for compliance with the norms of *Veritatis Gaudium* and for the protection of canonical exigencies while recognizing that JST is constituted as a school of SCU.

Article 3. The ecclesiastical faculty of JST has adopted the following formulation of these objectives, specific to its circumstances as part of SCU (cf. *VG*, art. 3):

a) Through scientific research and publication, JST aims to cultivate and promote the theological disciplines; to explore Catholic doctrine and its ecumenical dimensions; and to study, interpret, and communicate its contemporary meaning. In particular, JST seeks to inculcate “contemplation and the presentation of a spiritual, intellectual and existential introduction to the heart of the kerygma” of the Gospel. (*VG*, Forward, art. 4a) JST cooperates with other institutions and promotes dialogue with Christians of other traditions, for the sake of Christian unity, as well as with people of various faiths and traditions.

b) It is the distinct responsibility of JST to train and provide the required academic programs for the theological and ministerial preparation of candidates for the Roman Catholic priesthood, among whom are priest candidates of the Society of Jesus. JST forms one of three theological centers in the Jesuit Conference of Canada and the United States (hereinafter the “Conference”). It also provides priestly preparation for candidates of other institutes of consecrated life and societies of apostolic life that regularly send their priesthood candidates to JST. In addition, JST provides theological and pastoral degree programs for men and women, lay and religious, preparing for ecclesial service. (*VG*, art. 3, par. 2)

c) The ecclesiastical faculty of JST possesses a unique role in the Church’s mission of evangelization, a role described by the four criteria set forth in *Veritatis Gaudium*: to inculcate an encounter with Jesus Christ, to promote a culture of dialogue, and to value inter-disciplinarity and networking. (*VG*, Forward, art. 4a)

d) JST finds its particular way of serving the Church through the charism of the Society of Jesus. Consequently, it seeks to serve the needs of the whole Church rather than only those of any particular diocese or culture; to combine academic excellence with pastoral engagement, especially among those most in need of the Church's

instructors as employed by Santa Clara University, it will us *faculty* to indicate the collective noun and *faculty members* as individuals.

ministry; to communicate an understanding of Christian faith to its own students and to the wider public; to carry on its theological mission in close communion with the hierarchy; to study and explain Roman Catholic doctrine derived from divine revelation, according to the scientific method proper to sacred theology; and to seek solutions “to human problems in the light of that same revelation.” (VG, art. 69)

e) To fulfill its responsibilities as an ecclesiastical Faculty, the autonomy of JST is established by the requirements of *Veritatis Gaudium*. As integrated into SCU, JST will be governed both by relevant ecclesiastic norms and applicable civil law. In cases of conflict between norms of secular (civil) law and ecclesiastical norms, accommodation to secular law cannot alter the constitutive nature of JST as an ecclesiastical Faculty.

Section II

THE COMMUNITY AND ITS GOVERNANCE

Veritatis Gaudium (VG, art. 11-21); *Norms of Application* (NA, art. 9-17)

Article 1. JST is subject to the norms of the apostolic constitution *Veritatis Gaudium* and the *Code of Canon Law*, cc. 815-821.

Article 2. The officials of JST are the following: Chancellor, Vice-Chancellor, President, and Dean.

Article 3. The collegial authorities of JST are the Board of Directors and, as described below, the Academic Council.³

Article 4. The Chancellor is the Superior General of the Society of Jesus. He represents the Holy See to JST and JST to the Holy See. He cares for the continued progress of JST according to its mission and vision statements. He appoints the Vice-Chancellor. (VG, art. 13, par. 2) He submits to the Congregation for Catholic Education for its *nihil obstat* an appointee as Dean. He grants as appropriate the canonical mission to teach. And he submits to the Congregation the quinquennial report on the condition of JST. (NA, art. 9, par. 7)

Article 5. The Vice-Chancellor is the President of the Conference. He conducts a visitation of JST at least once each year in order to guide it and to report his judgments and recommendations to the Chancellor. He represents the Chancellor in the exercise of his duties and in his relationship with the Diocese of Oakland, including meeting with the bishop at regular intervals to discuss the status and progress of JST and its programs. He represents the Board of the Conference⁴ in its dealings with JST. He receives the profession of faith from

³ In addition, JST is governed in matters of civil law by the Board of Trustees of Santa Clara University, which has fiduciary responsibility for the School.

⁴ The Board consists of the provincial superiors of Canada and the United States and their President, who is the Vice-Chancellor.

the Dean and teachers whose fields touch on matters of faith and morals. He has responsibility for the doctrinal fidelity of JST (referred to in Section III, Article 1 below) and for preparing the quinquennial report. (*VG*, art. 13, par. 2)

Article 6. The President of JST serves *ex officio* by virtue of his position as president of SCU, and is the chief executive officer of SCU under federal, state, and local law, and as may be necessary for the efficient civil administration of JST. SCU is a Catholic university subject to canons 807-814 of the *Code of Canon Law* and to the provisions of the Apostolic Constitution *Ex corde Ecclesiae*.⁵ Subject to the rights and responsibilities reserved to the Chancellor, the Vice-Chancellor, the Board of Directors, and the Dean, as determined by *Veritatis Gaudium* and in these *Statutes*, the President has general supervisory authority over the personnel, finances, facilities, operations, development, and general welfare of JST. The President thus ensures that JST, as a constituent part of SCU, is administered in a manner consistent with the requirements of civil law and academic practice. The President also governs the entire University and promotes in suitable ways its unity, cooperation, and progress. (*VG*, art. 20)

Article 7. The Dean of JST is charged with administrative authority over the faculty members of JST as an ecclesiastical Faculty of the Church according to the provisions of *Veritatis Gaudium* and its *Norms of Application*, and of these *Statutes*. The Dean must have an ecclesiastical Licentiate in a sacred science and be legitimately appointed according to the norm of Article 8 of these *Statutes*. The Dean:

- is responsible to the Vice-Chancellor in the discharge of all ecclesiastical duties;
- consults regularly with the President in matters pertaining to the offices of each;
- convokes and presides over the Academic Council as required by these *Statutes*;
- has immediate authority over JST's curricula, programs, courses of instruction, teaching, academic advising, and examinations;
- oversees admission to and certifies student completion of the degree programs of JST; and
- with respect to academic norms for priestly formation, observes the relevant requirements of the most recent editions of *Ratio Fundamentalis Institutionis Sacerdotalis*, the USCCB's *Program of Priestly Formation*, and any co-relative norms issued by the Society of Jesus.

The Dean may be assisted by associate or assistant deans to whom the Dean may delegate particular responsibilities.

⁵ In accordance with university practice in the United States, the SCU President is subject to the authority of an external Board of Trustees, which represents the University's various constituencies.

The Dean's term of office is four years, renewable once or, for a just cause, twice. The Dean's performance is subject to regular review by the Vice-Chancellor and President. The Dean can be removed from office by the Chancellor according to the norms of canons 192-195 of the *Code of Canon Law*. In addition to the *de iure* causes of canon 194, other grave causes include (1) demonstrated lack of competence in administration; (2) habitual neglect of duty; (3) departure from a matter of the faith of the Church in teaching; (4) demonstrable failure to live in conformity with the accepted standards of his or her state of life or ecclesiastical discipline; or (5) gross personal misconduct.

Article 8. The Dean is appointed by the President upon the recommendation and consent of the Vice-Chancellor in accord with the following procedures: The JST Board of Directors and Academic Council initiate a search process comparable to the search processes for other deans at SCU. In the process, the President receives the consultation of JST faculty, staff and students, the SCU Provost and Deans, and members of the JST Board of Directors. After this consultation, the President transmits the selected candidate's name through the Vice-Chancellor to the Chancellor. If the Chancellor approves the candidate, he proposes the name to the Congregation for Catholic Education for its *nihil obstat*. After the President appoints the nominee, the Dean makes a profession of faith to the Chancellor or the Vice-Chancellor.

Article 9. The authorities of JST are the Corporate Member, which is SCU, and the Board of Directors, which includes *ex officio* Society of Jesus ("Jesuit") Directors with reserved powers. See Article 10 below. The Corporate Member has ultimate responsibility for JST as a civil corporation entitled to award degrees recognized by the State of California. A majority of the Board of Directors and a majority of the Jesuit Directors must approve the By Laws of JST, which detail the rights and duties of the Member, *the ex officio* Jesuit Directors, and the Board of Directors. A majority of the Board of Directors and a majority of the Jesuit Directors must consent to amend the By Laws of JST.

Article 10. The Board of Directors of JST shall consist of two classes of directors: the *ex officio* Jesuit directors and the general directors. There are seven *ex officio* Jesuit Directors, all of whom must be members of the Society of Jesus. They are the Vice-Chancellor; the Provincial Superior of Jesuits West; the Rector of the Jesuit Community at JST; two other Jesuits appointed by the Vice-Chancellor; the President of Santa Clara University (or if the President of Santa Clara University is not a Jesuit, then whichever Jesuit the President of SCU may appoint as his delegate); and one Jesuit appointed by the University.

Article 11. The Board of Directors of JST, subject to the authority of the Chancellor, sets academic policy, exercises those powers affecting the operation of the ecclesiastical Faculty under *Veritatis Gaudium* and its *Norms of Application*, and oversees the academic affairs of the ecclesiastical Faculty through the exercise of specific powers enumerated in these

Statutes. (VG, art. 20) The seven *ex officio* Jesuit directors have reserved powers such that the approval of a majority of the *ex officio* Jesuit Directors shall be necessary for:

- a) the approval of JST's programs of study, including degree requirements, leading toward ecclesiastical and other degrees in preparation for Catholic priesthood in accordance with principles contained in the documents of Vatican Council II, the Apostolic Constitution *Veritatis Gaudium*; the most recent editions of the *Ratio Fundamentalis Institutionis Sacerdotalis*, the *Program of Priestly Formation* enacted by the United States Conference of Catholic Bishops; any co-relative norms issued by the Society of Jesus; and, where applicable, the *Standards of Accreditation* established by the Association of Theological Schools;⁶
- b) the amendment or modification of JST's Mission Statement;
- c) the amendment or modification of these Statutes;
- d) actions with respect to faculty applications for Professor Ordinarius; and
- e) the sale, assignment, alienation, hypothecation, pledge, mortgage or other transfer of any of JST's assets.

Article 12. The Academic Council of JST is the principal organ of consultation regarding academic degrees, both civil and ecclesiastical, and academic policies and decisions within JST. It possesses such authority as may be assigned to it by the JST Board of Directors.⁷

- a) The Academic Council consists of all permanent faculty members (i.e., tenured and tenure track faculty, and senior lecturers), the Dean, the Rector of the Jesuit Community, and that additional number of teachers, administrators, and students as may be approved by the Board of Directors.
- b) The Academic Council determines academic policies in conformity with those of the Corporate Member and of the Board of Directors. It consults with the President and Dean concerning the administration of JST and may recommend to the President candidates for the office of Dean. The Academic Council may work through standing or permanent committees such as it may determine. These committees report their findings and recommendations to the Academic Council for action by that body.

⁶ The Association of Theological Schools in the United States and Canada is the secular accrediting agency for the non-ecclesiastical degrees.

⁷ See the *Regulations: Protocols and Procedures for JST Deans and Faculty*, adopted in May 2019 by the JST Academic Council for additional details on the academic work of the School.

- c) The Academic Council nominates to the Board of Directors candidates for degrees and recommends the approval of academic programs.
- d) Through the Committee on Appointment, Rank and Tenure, the Academic Council recommends to the President candidates for appointment as permanent faculty members and recommends faculty members for promotion in rank and tenure, or for contractual renewal.
- e) Members of the Academic Council may be invited by the Dean to nominate candidates for honorary degrees, following article 51 of *Veritatis Gaudium* and article 40 of the *Norms of Application*.

Article 13. The Dean convenes and presides at meetings of the Academic Council. The Academic Council meets at least once in each academic term (excluding summer session).

Article 14. The Academic Council is answerable through the Dean to the Board of Directors, which, in the exercise of its enumerated powers, may veto or modify any vote by the Academic Council, or refer any decision back to the Academic Council for modification in light of the suggestions proposed by the Board of Directors.

Article 15. A quorum of the Academic Council shall consist of sixty percent of its members, and all votes shall be determined by a simple majority.

Section III TEACHERS

Veritatis Gaudium (VG, art. 22-30); *Norms of Application* (NA, art. 18-25)

Article 1. *General Provisions*

- (a) The number of teachers of ecclesiastical studies must at all times be sufficient to support the degrees and programs of the Faculty. Ideally, there will be a minimum of twelve permanent teachers (NA, art. 18, par. 2), including a suitable number of priest teachers. (VG, art. 76)
- (b) Teachers of the sacred sciences appointed to the Faculty should possess
 - i. an ecclesiastical Doctorate or an ecclesiastical Licentiate and a secular doctorate; and
 - ii. a permanent or continuous appointment.⁸
- (c) Teachers who are Catholics are to be in full communion with the authentic magisterium and be conscious of the fact that they are teaching by virtue of a mission

⁸ According to SCU Faculty Handbook, sections 3.1 & 3.6.3, and the Regulations of JST, Article II, A: “Permanent faculty members are tenured and tenure-track faculty, and senior lecturers.”

they have received from the Church. Non-Catholics who have permission to teach are to be respectful of that magisterium. Teachers should be marked by an upright life, integrity of doctrine, and devotion to duty. JST recognizes and protects the right of its teachers to that responsible academic freedom that is indispensable for progress in deepening the understanding of revealed truth, and seeks to create an environment conducive to the exercise of this right both in scholarly research and in teaching, taking due account of the right of the students to have the Church's full teaching correctly presented to them. (*VG, art. 26-27; NA, art. 19, par. 2*)

Responsibilities of Teachers

Article 2. More specifically, the duties of teachers shall include the following:

- a) Regular involvement in scholarly research, scholarly publication, and the professional activities of one's discipline.
- b) Teaching such courses or supervising such programs as the Dean may assign. This is understood to include lectures and seminar presentations; preparation of courses; pastoral training; administration and correction of examinations; and direction and evaluation of student papers, reports and projects.
- c) Engagement, as assigned by the Dean, in regular academic advising and formation of students.
- d) Participation in meetings of the Academic Council and service on committees as established by the JST or SCU University for their proper functioning.
- e) Service to the SCU, of which JST is a constituent part, through such involvement as participation on joint committees and boards; collaborative or ancillary teaching activities; engagement in cooperative research; and pastoral work, and such other service opportunities as may be identified from time to time by the Dean.

Article 3. In assigning teaching, advising, committee responsibilities, and other tasks, the Dean shall give appropriate consideration to the various duties of the teacher so that the sum total of his or her obligations shall be reasonable. Responsibilities associated with the officially recognized organizations of JST and SCU and with external agencies with which JST has formal relationships shall also be taken into consideration in the assignment of duties.

Article 4. Full-time teachers may not simultaneously hold a similar position in another academic institution. In addition, they shall not assume obligations that interfere with their duties of teaching, office hours, or other assigned obligations without previous permission of the Dean. Teaching in other academic departments of SCU or in the Graduate Theological

Union, to the extent consistent with these limitations, shall be permitted through separate appointments without possibility of tenure. (VG, art. 29; NA, art. 23, par. 2)

Article 5. Collaboration with other institutions and professional associations for academic and ministerial development is encouraged. Such collaboration is of service to the Church and to the JST and SCU, and enhances teachers' professional competence. (NA, art. 23, par 1)

Article 6. Teachers of JST shall have the same privileges and benefits afforded to other SCU faculty, including access to libraries, recreational facilities and other services. They shall comply with and be subject to all applicable policies and regulations of SCU. The good of the ecclesiastical Faculty and the good of the whole university are to be promoted cooperatively. (VG, art. 20, par. 1) However, the provisions of this Section III concerning faculty appointments, responsibilities, promotion, tenure and dismissal defining the rights of teachers employed by JST, and shall not be preempted by the policies and regulations of the SCU. (cf. VG, art. 30, par. b)

*Faculty Ranks, Appointment of Teachers, Renewal of Appointment,
Advancement in Rank, and Granting of Tenure*

Article 7. Teachers may be appointed for either full-time or part-time status. The qualifications required for part-time appointment shall be appropriately proportionate to those set down for full-time appointment. Full-time teachers must be employed by SCU as full-time faculty members. Full-time teachers serve as members of the Academic Council. Part-time teachers may from time to time be invited to participate in the Academic Council without voting.

Article 8. Teachers are further distinguished as tenured and untenured faculty of JST according to the ranks listed below, in conformance with common practices at universities in the United States, and as documented in SCU faculty handbooks and policies:

- a) Non-tenure track appointments include continuous term senior lecturers, renewable term lecturers, and those adjunct instructors with fixed term appointments.
 - i. Senior lecturers and renewable term lecturers are normally full-time appointments that meet a persistent programmatic need. Faculty members serving in these appointments evidence: appropriate academic credentials, usually at the doctorate level; competence in their field of study; and superior abilities in teaching.
 - ii. Adjunct instructors may be full or part time and are appointed for a fixed term or an academic year to meet a specific programmatic need. Faculty members serving in these appointments evidence: appropriate academic credentials,

usually at the doctorate level; competence in their field of study; and superior abilities in teaching.

- b) Tenure and tenure track appointments of faculty are considered to be permanent appointments to the following ranks:
- i. The rank of Assistant Professor is granted to a person who possesses an earned doctorate or its equivalent in the discipline to be taught and who demonstrates promise of achievement in teaching, scholarship, and service to the school, university, and Church.
 - ii. The rank of Associate Professor is granted to a person who possesses an earned doctorate or its equivalent in the discipline to be taught, together with demonstrably superior ability as evidenced by actual accomplishment in the areas listed above in section I (attested by external colleagues in the field and leadership in scholarly and professional associations). A teacher may seek advancement to this rank only after a minimum of three (3) years of service as an assistant professor, but not later than the end of the sixth academic year of full-time employment as an assistant professor, unless other provision is made by written agreement of both parties at the time of initial appointment.
 - iii. The rank of Professor is granted to a person who possesses those qualities of a teacher-scholar that are expected of the previous rank and in such degree as to have earned the recognition of colleagues in the same discipline outside SCU or in higher education generally. Ordinarily, a teacher may seek advancement to this rank only after a minimum of six years of service as an associate professor.

Article 9. Before promotion to Ordinary Professor, teachers must serve on the ecclesiastical Faculty, have a permanent appointment to SCU at the rank of Associate Professor or Professor, and must receive a declaration of *nihil obstat* from the Holy See. The process of petitioning the Holy See for the *nihil obstat*, if not already awarded, may begin once an associate professor is granted tenure. (VG, art. 27, par 2; NA, art. 21)

Those teachers at the rank of Senior Lecturer and Assistant Professor may petition for the nihil obstat, as Extraordinary Professor. (VG, art. 27; NA, arts. 18 and 21)

Article 10. The Dean, having followed due procedures as may be established from time to time by the University (to the extent not inconsistent with the requirements of *Veritatis Gaudium* and other relevant ecclesiastical norms), and after appropriate consultation with members of the faculty, makes initial and renewed appointments to the ecclesiastical Faculty. For full-time teachers, the Dean requests from the Chancellor or his delegate the

canonical mission or permission to teach, as appropriate, for these appointments. The Dean shall inform teachers of their appointment to the ecclesiastical Faculty.

Article 11. Advancement in professorial rank and tenure is granted by the Board of Directors. The process for advancement follows the procedures governing SCU faculty, as amended for JST. In particular, after a duly constituted review process, the Appointment, Rank and Tenure Committee of JST recommends promotion and/or tenure to the Dean, who, after consulting with the President, makes a recommendation to the Board of Directors, who makes a final determination. (VG, art. 28; NA, art. 21-22)

Termination of Appointment

Article 12. Termination of teachers may occur by non-renewal of contract, by determination of insufficient programmatic need, by denial of tenure, by dismissal for cause, by resignation, by retirement, or because of financial exigency, when such exigency shall be determined by the University to exist, as each event may apply to the various categories of teaching appointments. These events are governed by the duly enacted policies governing SCU faculty appointments.

Article 13. If the Dean declines to renew the appointment of a renewable term lecturer, the Dean must notify the person of this action at least six months before the end of the academic year. Term contracts for specified periods confer no right of renewal.

Article 14. In the case of tenure track appointments where teachers are not recommended for tenure, the appointment ceases at the expiration of the contract period, unless renewed by mutual agreement. When tenure is denied to a teacher, that teacher may, at his or her choice, continue to be employed for a period not to exceed one academic year. (VG, art. 30)

Article 15. Dismissal of a teacher during a contract period or after the granting of tenure may take place only for cause and by established process. (VG, art. 30; NA, art. 24) The Chancellor has the right to suspend a teacher for the duration of a procedure in more grave or urgent cases, as the Chancellor shall determine. (NA, art. 24, par. 3)

Article 16. A teacher with tenure may be dismissed from JST by the Dean with the advice and consent of the Board of Directors only for adequate cause when together they determine in the exercise of their reasonable discretion that the teacher: (1) lacks competence in teaching; (2) is guilty of habitual neglect of duty; (3) has departed from a matter of the faith of the Church in teaching; (4) has demonstrably failed to live in conformity with the accepted standards of his or her state of life or ecclesiastical discipline; or (5) is guilty of gross personal misconduct. The Chancellor may also order the Dean to dismiss a teacher with tenure for any of the foregoing causes.

- a) In case of dismissal for cause of a teacher with tenure, the Dean consults, as appropriate, within the tenured faculty members before making a final determination. Consultation will vary depending on (1) the cause (see causes listed in Article 18 above); (2) the necessity of confidentiality of information according to canon and civil law; and (3) any guidance from the Board of Directors and/or the University President. After making a final determination, the Dean shall communicate the dismissal in writing to the teacher. Upon notification of dismissal for cause, the teacher has the right of recourse to the Board of Directors as well as to the Holy See. (cf. NA. 24, par. 2; and CIC, c. 1734 ff)
- b) Any actions under this Article must follow procedures established in the SCU faculty governing documents to the extent that these do not compromise the provisions of *Veritatis Gaudium* and the *Norms of Application*.

Article 17. Tenure for clerics and religious is always limited by their prior commitment to the general apostolate of the Church, to which they may be called by their competent superiors. Tenure is granted to clerics and religious on condition that they maintain their clerical or religious status in good standing according to the laws of the Church.

Article 18. A teacher shall notify the Dean of the decision to resign his or her appointment at least three months before the end of the current academic year. Such resignation shall be effective at the end of the current academic year. At a minimum, the teacher shall notify the Dean of the decision not to accept an offer for the coming academic year no more than thirty days after being informed of the contractual conditions for the following year, unless the resignation has been accepted earlier by the Dean.

Article 19. Tenured faculty members and faculty members with a renewable term or continuing appointment are eligible to retire after 10 years of service at SCU and after reaching the age of 55. Retirement, in accordance with U.S. civil law, is not automatic or compulsory. At the time of their retirement certain faculty members may be granted *Emeritus* status by the University President because of their extraordinary contributions to their disciplines and to the faculty. The Dean should make this request to the University President and provide a rationale for it.

Section IV STUDENTS

Veritatis Gaudium (VG, art. 31-35); *Norms of Application* (NA, art. 26-29)

Article 1. Study with the Faculty is open to all students who, through the requisite letters of recommendation, transcripts, and academic documents or other appropriate means, are known to be of the character and intellectual attainments necessary to carry on the studies prescribed in the Faculty's various programs, subject to enrollment limitations. As a

condition to admission, students from seminaries and religious houses must be recommended by their respective Ordinaries. Admission requirements shall be those described from time to time in appropriate University documents, and all such students shall make application to JST for admission. Acceptance of students to programs leading to ecclesiastical degrees or to degrees required in preparation for the Catholic priesthood shall be made by the Dean, upon recommendation of a committee as the Dean shall establish for such purpose. (*VG*, art. 31-32; *NA*, art. 26)

Article 2. In solidarity with “refugees, exiles and persons in similar situations who lack the normal documentation required” (*VG*, art. 32, par. 3), such persons are encouraged to contact the Dean to determine appropriate accommodations for documentation and testing requirements in the application process.

Article 3. All students pursuing studies leading to ecclesiastical or other degrees shall be considered students of SCU. They are entitled to the same privileges and benefits afforded to other graduate students enrolled at SCU. They shall be subject to all applicable regulations, both academic and disciplinary, of SCU, as shall be set out from time to time in appropriate University publications.

Article 4. As a rule, the designated degree for students preparing for the Catholic priesthood is the Master of Divinity or the Baccalaureate of Sacred Theology (S.T.B.).

Article 5. Students contribute to the common good of JST through participation on the Academic Council and various faculty committees, including standing committees of the Academic Council. Student opinion is also sought in hiring, promotion, and tenure of faculty, and in the review and assessment of programs of study through surveys, focus groups, and individual letters. (cf. *VG*, art. 34)

Section V ADMINISTRATIVE AND SERVICE PERSONNEL

Veritatis Gaudium (*VG*, art. 36)

Article 1. In administering the affairs of the Faculty, the Dean is assisted by associate or assistant deans as necessary to conduct the academic affairs, registration, enrollment management, finance and operations, and student life affairs of the School. These officials work in coordination with University-wide administrative officers and staff. (*VG*, art. 36)

Section VI PLAN OF STUDIES

Veritatis Gaudium (*VG*, art. 37, 44, 68, 76); *Norms of Application* (*NA*, art. 30-34)

Article 1. JST's Plan of Studies provides a foundation for ordained and lay ecclesial ministries, and offers a basis for subsequent academic and ministerial specialization. The Plan stresses disciplined theological scholarship, superior command of sources, and an understanding of the development and meaning of Christian revelation and tradition.

Article 2. In order to achieve these objectives, the Plan of Studies is set up according to the principles contained in the documents of Vatican Council II and the apostolic constitution *Veritatis Gaudium*. Further direction is provided by the *Normae Generales de Studiis* of the Society of Jesus; *Ratio Fundamentalis Institutionaliter Sacerdotalis*; the *Program of Priestly Formation and Co-Workers in the Vineyard of the Lord*,⁹ enacted by the United States Conference of Catholic Bishops; and *The Regional Order of Study* of the Society of Jesus. This Plan of Studies takes account of the needs of the universal Church and of the Church in the United States.

Article 3. A detailed description of the Plan of Studies is provided in separate documents, including program handbooks, academic policies and procedures, and student handbooks, as promulgated by SCU and JST, and as amended from time to time.

Section VII ACADEMIC DEGREES

Veritatis Gaudium (VG, art. 45-52); *Norms of Application* (NA, art. 35-41)

Article 1. The ecclesiastical academic degrees which the Faculty is empowered to confer are the Baccalaureate (first cycle), the Licentiate (second cycle), and the Doctorate (third cycle) in Sacred Theology. The Baccalaureate is the general first degree. The Licentiate is the second degree, awarded to students who have achieved a certain mastery of scientific method and a thorough knowledge of the theological disciplines in which they are concentrating. The Doctorate is the degree designed to bring to full exercise both specialization and the ability to do continuing original research. (VG, art. 46, 50, 74; NA, art. 36)

Article 2. Since the ecclesiastical degrees to be conferred are from a canonically established institution, they are given "by authority of the Holy See." (NA, art. 35)

Article 3. These degrees are conferred only on those who have been enrolled as regular students of these programs and who have successfully completed the requirements of the particular programs as described in *Veritatis Gaudium* and in the Plan of Studies of JST. Details applicable to all three cycles are set forth in the subsequent articles. (VG, art. 45-50)

⁹ United States Conference of Catholic Bishops, *Co-Workers in the Vineyard of the Lord: A Resource for Guiding the Development of Lay Ecclesial Ministry* (Washington: USCCB, 2005).

Article 4. The Baccalaureate in Sacred Theology (S.T.B.):

- a. The Baccalaureate may be entered only upon possession of an appropriate bachelor's degree from an accredited college or university in the United States or Canada, or its equivalent, including the prescribed two years of philosophy. (VG, art. 74, par. a; also see *Ratio Fundamentalis*, par 158-164)
- b. Usually, better than average achievement is required, signified by a cumulative grade point average of 3.0 (on the U.S. American 4.0 scale) or its equivalent in other grading scales.
- c. The Baccalaureate in theology lasts three years and requires successful completion of lecture and seminar courses in the areas of Biblical studies, Church history, Patristics, theology (historical, dogmatic, and systematic), moral theology, canon law, liturgy and sacraments, pastoral theology, and spiritual theology. (NA, art. 55)

Article 5. The Licentiate in Sacred Theology (S.T.L.): To be admitted to the Licentiate, one must first have obtained the Baccalaureate. (VG, art. 49) The Licentiate requires:

- a. an additional two years of advanced work in courses, seminars and language requirements;
- b. a specialization in one of the following: Biblical studies, Church history, theology (historical, dogmatic, and systematic), moral theology, or Christian spirituality;
- c. one modern and Latin, which languages shall be useful for the understanding of ecclesial sources and for the student's specialization and research; (VG, art. 26, par. 3) and
- d. the preparation of a thesis to be defended and approved by a board of examiners. (VG, art. 49, 74b)

Article 6. The Doctorate in Sacred Theology (S.T.D.): To be admitted to the Doctorate, one must first have obtained the Licentiate. (VG, art. 49, art. 1) The Doctorate in theology requires:

- a) course and seminar work as determined according to the academic specialization of the student;
- b) the successful completion of a comprehensive examination;
- c) at least one additional modern language, in addition to those mastered for the Licentiate, that will be needed to complete the dissertation; and
- d) the preparation of a doctoral dissertation to be defended before and approved by a faculty board of examiners.
 - i. The dissertation is to be on a subject antecedently approved.
 - ii. It shall be a substantial work of original research.
 - iii. It shall be published electronically, with a printed copy sent to the Congregation for Catholic Education, and sent to other institutions affiliated with JST. (VG, art. 49; NA, art. 36-37)

Article 7. Distinct from the S.T.B., S.T.L., and S.T.D. degrees, the University, by virtue of its civil authority from the State of California, grants other master's degrees in theological and ministerial studies in programs conducted by JST. These civil degrees are the Master of Divinity (M.Div.), the Master of Theological Studies (M.T.S.), and the Master of Theology (Th.M.).

Article 8. Diplomas attesting to the acquisition of ecclesiastical degrees are to be signed by the Chancellor, Vice-Chancellor, University President, and Dean of JST.

Section VIII DIDACTIC FACILITIES

Veritatis Gaudium (VG art 53-56); Norms of Application (NA art 42-45)

Article 1. As members of the Graduate Theological Union consortium of schools, the students and faculty of JST shall have access to the library of the Graduate Theological Union in Berkeley. They also have privileges at the main University library of SCU. The libraries shall cooperate with the libraries of the other academic institutions of the area, especially those of the theological schools. (VG, art. 53-55; NA, art. 43-45) JST shall memorialize the consortial arrangements of the GTU schools in a legally binding document, that may be updated from time to time with the approval of the JST Board of Directors and, if necessary, of the SCU Board of Trustees.

Article 2. SCU shall provide JST with the classroom and seminar facilities, research instruments, field education resources and instructional technology necessary for carrying out teaching and research in theology on an advanced academic and professional level. (VG, art. 56; NA, art. 42)

Section IX FINANCIAL ADMINISTRATION

Veritatis Gaudium (VG, art. 57-60); Norms of Application (NA, art. 46-47)

Article 1. The general administration of financial matters of the JST is the responsibility of the SCU President and SCU Board of Trustees. Appropriate staff may be hired for the accomplishment of these matters. The financial responsibilities include the following:

- a. to review and authorize the budget of JST;
- b. to authorize changes in tuition and fees for JST;
- c. to authorize the construction of new buildings and major renovations of existing buildings occupied by JST;
- d. to authorize and promote fundraising activities of JST;
- e. to authorize the incurring of debts by JST in the ordinary course of business;

- f. to enact and amend rules and regulations for the orderly functioning of JST; and
- g. to draw annual amounts from the endowment, quasi-endowment and other invested funds of JST, provided that such spending rate shall not be higher than the spending rate then generally applicable to the University's invested funds without the approval of the Board of Directors of JST.

Article 2. The income of JST comes from the following principal sources: tuition and fees charged by the University to students; gifts and grants to SCU for the purposes of supporting JST or for the purposes shared in common between JST and SCU, which gifts and grants shall be and remain the property of the University; voluntary contributions from the Jesuit Community of JST, including contributed services of members of the Jesuit Community who are teachers of JST, as may be made in accordance with the custom of the Society of Jesus; and annual income drawn from the Theological Education Fund established by the Jesuit Conference of Canada and the United States and from the endowment of JST.

Article 3. JST is an apostolate of the Society of Jesus, which has delegated direction and responsibility in regard to its financial well-being to SCU, provided that all assets of JST shall be dedicated to the shared purposes of JST and SCU and separately accounted for.

Article 4. Tuition and fees appropriate to the program in question are charged to each student enrolled with JST, according to norms determined by SCU.

Article 5. A scholarship and financial aid fund is available for student grants and scholarships in accord with norms set by SCU. (NA, art. 47).

Article 6. An official statement of actual income and expenditures of JST shall be prepared by an independent professional firm as part of SCU's financial statements and submitted to the SCU President and to the Congregation for Catholic Education as part of the quinquennial report.

Section X

STRATEGIC PLANNING AND COOPERATION OF FACULTIES

Veritatis Gaudium (VG, art. 61-67); Norms of Application (NA, art. 48-52)

Article 1. In order to “promote the scientific research of the teachers and a better formation for the students . . . advance interdisciplinary collaboration, [and, i]n general, to bring about the diffusion of Christian wisdom throughout all culture” (VG, art. 66), JST is open to forms of association and cooperation with other theological institutions and professional associations. It maintains especially close ties with the other ecclesiastical Faculties run by the Society of Jesus in North America as well as other ecclesiastical Faculties around the world. (VG, art. 66; NA, art. 52).

Article 2. JST puts these principles of cooperative and complementary relationships into practice by institutional membership in national, international, and regional professional organizations such as the Association of Theological Schools and the Graduate Theological Union.

Article 3. Membership of individual teachers in learned societies and associations specific to particular areas of theology is supported by JST. Through active participation by teachers in such organizations, JST fosters research and scholarship in theology and related areas. (VG, art. 66)

Section XI AMENDMENTS

These Statutes may be amended or altered only upon a vote of not less than two-thirds of the full Board of Directors, which shall include not less than a majority of all the Jesuit directors, following appropriate consultation with the Academic Council and subject to the appropriate authority of the Chancellor and the Congregation for Catholic Education.

APPROVAL – The Jesuit School of Theology Board of Directors voted unanimously to approve these Statutes at the regularly scheduled meeting on September 27, 2019 and, minor corrections, by email vote on November 22, 2019. The vote has been recorded in the Board minutes.