



Brothers of the
Christian Schools

**Manual of the
Brother Visitor**

Introduction

The Manual of the Brother Visitor is not something new in the Institute. It is a text based on universal law and on our own proper law. The law proper to the Institute is essentially based on The Bull of Approbation, The Rule, The Administrative Directory The Economic Directory, the Acts of various General Chapters, the Circulars and all the other regulatory texts duly approved and published by the Brother Superior and his Council. 'Universal law' means simply canon law.

Some years ago, in June 1987, an edition of this Manual was published in French, English and Spanish. At that time, it was chiefly a question of providing a tool which would take into account the various changes introduced by the Code of Canon Law of 1983 and those incorporated into the version of The Rule approved in 1987.

Given the huge changes that are taking place in today's world, which also affect our Institute and are leading to developments in certain aspects of our proper law, there is a serious need for a revision which will update the Manual. This revision was made in 2013. The present edition is linked to the revision of The Rule called for by the 43rd and 44th General Chapters, and taken to effect by the 45th General Chapter. It is important to remember, at the same time, that this edition it is based also in Circular 470, 24th March 2015 that contains the current priorities of the Mission of the Institute, proposes a plan and strategies to achieve from now and towards 2021.

This Manual contains all the essential elements prescribed by universal law and the proper law of the Institute regarding the Brother Visitor as a major Superior, but it is not intended to restrict the Brother Visitor to certain tasks that are part of his role. It is meant simply as a tool to facilitate certain procedures involved in the relations between a Brother Visitor and the Centre of the Institute in what concerns the animation of the District and the exercise of his authority within the District.

It is planned in such a way as to be easy to consult, simple and practical, and to serve as practical tool for the Brother Visitor, allowing him to save time in dealing with specific matters. I believe that this was certainly the idea my predecessors had in the mind in the work they undertook. For all their efforts, I would like to pay them the homage they deserve for their juridical skills which were a real gift to the Institute.

I have especially in mind Brother Leonardo TEJEIRO, my immediate predecessor. He made a personal commitment to this work and went so far as to produce a draft revision of the Manual in Spanish which has served as the basis for the present edition. The work he did was remarkable in the way he managed to include in his manuscript all the essential normative texts currently in force in the Institute that can be of use for the Brother Visitor.

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Procurator General
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- BROTHER VISITOR'S MANUAL -

I. RELATIONSHIP OF THE CENTER OF THE INSTITUTE WITH DISTRICTS AND REGIONS

1. The Government of the Institute (Circular 470, pages 10-13)

The makeup of the General Council is as follows. Around the Superior General:

- A Vicar General.
- Five General Councillors for the Regions. They are full General Councillors although they usually reside in the Region that is their responsibility.
- Two other Brother General Councilors who live in Rome: one Brother General Councilor who coordinates more directly the area of Association and Mission and accompanies Higher Education; and another Brother General Councilor who coordinates the areas of the promotion of Lasallian vocations, particularly to the life of the Brothers; the accompaniment of the various groups within the Lasallian Family; and an additional voice and presence on the Council of a Brother from RELEM, a Region with the highest concentration of Brothers and aging Districts.

2. The mission of the General Council

2.1 The overall mission. The overall mission of the General Council is defined by Rule (128-130.3) and the directives of the 45th General Chapter. Circular 470 underlines the following:

- To be guarantors of the charism of the Founder and of the mission of the Institute.
- To be messengers of hope, justice, faith and joy.
- To keep alive the prophetic dynamism in the spiritual heritage left by the Founder.
- To look after the spiritual renewal of the Brothers.
- To remain in contact with all parts of the Institute.
- To ensure a correct understanding of the revised Rule.

- To encourage new initiatives.
- To make all necessary decisions.

2.2 A community with the Superior General. The community life of the Council primarily occurs when the Brother General Councilors convene in Rome for their regular plenary sessions.

2.3 Meetings of the General Council. There are administrative meetings of the General Council that tend to take place on a weekly basis, during the course of which issues are looked at that require the advice or the consent of the Council before the Superior General makes a decision.

2.4 Meetings of all the General Councilors. Three times yearly all the General Councilors meet in Rome for a session that lasts several weeks. These sessions focus on the needs and concerns of the Institute while facilitating faith sharing and the continuing formation of the General Council.

2.5 The role of the General Councilors for the Regions

1. They ensure the relationship of the Region they represent with the Center of the Institute.
2. They guarantee respect for the principle of subsidiarity in their Region by ensuring Regional interdependence with respect to the other Regions.
3. They respond to the particular needs of the Region.
4. They give their assistance, if necessary, in the government of a District.
5. They help Districts in the selection of those who will assume leadership positions.
6. They help Districts, in collaboration with the Visitors, in applying the guidelines and the lines of action of the General Chapter.
7. They mentor the Brother Visitors of the Region for which they are responsible and they exercise authority, delegated by the Brother Superior, in case of need.

3. Contact with Districts and Regions

Contact of the Brother Superior and the General Council with

Districts and Regions, as well as with Secretariats and General Services, have different modes.

3.1 Written communication:

- a) Circulars of the General Council
- b) Pastoral Letters of Brother Superior to the Brothers
- c) Other communications

3.2 Meetings: With Visitors, Auxiliary Visitors, and Presidents (Inter-Capitular Meeting). With new Visitors, Auxiliary Visitors, and Presidents.

3.3 Visits of the Superior General:

In the interval between two General Chapters, the Superior visits the Regions of the Institute and he is joined by the General Councillor for the Region.

4 Communication of the Districts with the Center of the Institute.

(See Annex)

5 Secretariats and General Services (Administrator's Directory 7 - 16)

International Secretariats and General Services are set up to help Brother Superior and his Council in governing and leading the Institute. The description of the International Secretariats and General Services are found in Circular 470.

The flow chart on pages 14-15 of that circular 470 shows the organization of the center of the Institute.

II THE GOVERNMENT OF THE DISTRICT

6. The District, the Sub-District and the Sector (Rule 123-133.8)

6.1 The District Chapter

- What it is: An assembly of a pastoral and administrative nature.
- Who calls it: It is called by the Brother Visitor.
- What it does: It evaluates all aspects of District life and it sets up concrete projects of renewal, adaptation or development for the near future (Rule 137).
- When it is held: Normally it is held as the Brother Visitor's mandate is ending; it should be held after a General Chapter (Rule 139).
- How it is prepared: What is said in Rule 140 is kept in mind.
- Chapter resolutions are subject to the approval of the Superior General and his Council. Once approved the resolutions are in effect immediately with normative value and they are communicated to the Brothers of the District (Rule 141).

6.2 District Statutes (Administrator's Directory 21 - 22)

One of the tasks of the District Chapter is to establish Statutes (Rule 133.2) which, besides defining the identity and the purpose proper to the District, include, among other things, the following points:

1. The procedure for appointing Brother Directors of communities and other points relative to the duration of his mandate (Rule 61);
2. The procedure for appointing Brother Sub-Directors (Rule 61.3);
3. The composition of the Chapter for admission to temporary or perpetual profession (Rule 98.2, 2nd point);
4. The procedure for electing District delegates to the General Chapter (Rule 115.1);
5. The ways for electing delegates to the District Chapter (Rule 140);
6. Means to encourage the participation of Brothers in the preparation of the District Chapter (Rule 140.1);
7. Setting the mandate for the Brother Visitor (3 or 4 years) (Rule 144);

8. The procedure for presenting to Brother Superior three names of Brothers to carry out the role of Visitor (Rule 144.1);
9. The procedure for presenting to Brother Superior the names of Brothers who will carry out the role of Auxiliary Visitor (Rule 144.2);
10. The procedure for constituting the District Council (Rule 148);
11. Practical norms relative to the use of the religious habit (Rule 26.1);
12. Setting in the District of a policy for the protection of the child, which constitutes a priority for the Church and an imperative for educators (cf. c 1395 §2). This policy will include the obligation to draw up a protocol for the protection of children against sexual abuse, physical or psychological violence and bullying on one side, and its publishing in the District, both among Brothers and lay partners on the other.
13. If in the District there is a Sub-District, the Statutes must envisage how to maintain the union with the District, the powers of the Auxiliary Visitor and the Council that will assist him (Rule 133.4);
14. If in the District there are administrative sectors their autonomy must be defined in matters relating to the powers of the person in charge of the sector and the Council that will assist that person (Rule 133.3).

Once approved by Brother Superior and his Council, these Statutes enter into force immediately within the District and they are communicated to the Brothers (Administrator's Directory 22).

6.3 Appointment of Visitors and Auxiliary Visitors

6.3.1 The Visitor (Rule 143, 144, 144.1, 144.3)

- The appointment is made by Brother Superior General with the advice of his Council.
- At the time of his appointment, the Brother Visitor must have at least five years of perpetual profession in the Institute.
- His mandate is for three or four years according to the decision of the District Chapter.
- The total number of years he may serve is 9.

Procedure:

- The District Chapter establishes the procedure to be followed in presenting to Brother Superior General three names of Brothers judged to be suitable to carry out the role of Brother Visitor (Rule 144.1).
- This procedure must respect two principles: There must be consultation with all the Brothers in the District and the Brother Superior must be free to choose (Rule 144.1). In order for this to happen "the ballots for the final straw vote are secret and are to be sent to Rome uncounted" (Circular 455, page 52).
- The information sent to Brother Superior for the appointment of the Brother Visitor must indicate the duration of the mandate set by the District Chapter and it must indicate the date the mandate takes effect (Administrator's Directory 24).
- The outgoing Visitor will communicate to the authorities (ecclesiastical, civil, academic...) concerning the appointment of his successor and the date when the handover will take place.

6.3.2 Auxiliary Visitor (Rule 144.2)

- The Brother Visitor may be assisted by one or more Auxiliary Visitors.
- Each Sub-District is the responsibility of an Auxiliary Visitor (Rule 133.4).
- Brother Auxiliary Visitor is appointed by Brother Superior after a presentation of names according to the procedure established by the District Chapter.
- He is a member by right of the District Council (Rule 140.1st point).

6.4 The service of the Brother Visitor

- The Brother Visitor is the guarantor of the unity and vitality of the District; he is the one in charge and the leader of the District. He exercises his authority as a major superior according to the norms of Canon Law and the particular law of the Institute and in accordance with directives from the District Chapter. He is at the service of his Brothers.

- The Brother Visitor is at the service of his Brothers, he willingly listens to them and is in contact with them; he is always concerned about fostering the development of each one's personal vocation and for promoting among all close collaboration to improve the carrying out of their mission through their ministries.
- The Brother Visitor constitutes the communities and assigns those in charge of various tasks according to the norms established by the District Chapter. He visits the communities and he assures the link with the Region and the Center of the Institute.
- The Brother Visitor admits candidates to the novitiate and to vows, except for the provisions in the Rule 98.2; he grants authorizations provided for by law, among them that of publishing writings that deal with issues of religion or morality (Rule 142).

6.5 The District Council

- The procedure for its constitution is determined by the Statutes of the District Chapter, while keeping in mind articles 148, 148.1 and 148.2 of the Rule.
- It meets as circumstances require but at least quarterly (Rule 148.3).
- Composition (Rule 148)
 - The Brother Visitor is, by right, the President of the District Council.
 - If there are Auxiliary Visitors, they are members by of the District Council by right.
 - The District Chapter determines the number of Councillors (at least 6), the duration of their mandate and the procedure for their election or appointment (this is set up in the District Statutes – Administrator's Directory 21, 10).
 - The Brother Visitor can appoint a Councillor in order to ensure the best representation of the Brothers.
- Mission and functions (Rule 147)
 - To promote unity.
 - To assist the Brother Visitor in carrying out his mandate.
 - To draw up with the Brother Visitor projects that have to do with running the District.

- To study the solutions to problems that may arise.
- To assess each year the work of the Brother Visitor and the state of the District.
- How it works:
 - The agenda is the responsibility of the Brother Visitor or his delegate who sends to Councillors and alternates in plenty of time (c 127, Rule 148.4).
 - The quorum required is one-half the total number of the members. The Brother Visitor does not vote but he does have the final word if the decision to be taken has to do with his authority as a superior (Rule 149, Administrator's Directory 26).
 - The propositions voted on by the District Council are normally approved by an absolute majority (one-half plus one affirmative votes of those who are voting). "When the consent of the Council is required the Brother Visitor cannot act against a majority negative vote" ("the consent of an absolute majority of those present is required" – c 127. If this majority is not obtained it is understood that the vote was mainly a negative one. If there are abstentions they are added to the negative votes because those who abstain are not giving their consent).
 - For issues where the consent of the District Council is required, please see Rule 149.1.
 - For issues where the advice of the District Council is required, these may or may not be subjected to the ratification of the Brother Superior General. Cf. Rule 149.2.
 - The minutes of deliberations are kept in a special register, with the results of voting, the decision (or the advice) of the Brother Visitor and possible decisions of Brother Superior (Administrator's Directory 26).
 - The Brothers of the District are informed about the issues dealt with and decisions taken, with all due discretion taken into account (Rule 148.4).

6.6 Communities: How they are set up, their suppression, their transfer © 609, 616; Rule 145, 149.3, Administrator's Directory 46, 47).

- a) How they are set up
- Every community must be legitimately set up
 - Procedures to be followed (c 609, Administrator's Directory 46):
 - This must be studied by the Brother Visitor and the District Council and opinions must be noted;
 - There must be written consent by the Ordinary of the Diocese;
 - A file concerning this must be sent to the Brother Superior General (the file must contain the following: the letter from the Visitor to the Superior General wherein he presents the results of the study done by him and the District Council as well as his own opinion expressed in an explicit way; a copy of the minutes of the District Council in which its advice is given, indicating the result of the voting; a copy of the letter to the Ordinary of the Diocese in which consent is given to set up the community).
 - The written authorization of Brother Superior after having heard the advice of his Council.
- b) How they are suppressed
- The suppression of a community is the responsibility of the Superior General (Rule 145)
 - The procedure for its suppression is the same as for setting it up, except that it sufficient to consult with the Ordinary of the Diocese (c 616) (the file should contain the following: a letter from the Visitor to the Superior General in which the Visitor presents the results of the study done by him and the District Council, as well as his own opinion expressed in an explicit way; a copy of the point in the minutes of the District Council in which its own advice is given, indicating the result of the voting; a copy of the letter from the Ordinary of the Diocese in which he gives his opinion and/or a copy of the letter in which the Visitor informs the Ordinary that the suppression of a community is in process and his opinion is wanted)

- If the suppression involves liquidation of good of the Institute (buildings, land...) the required authorizations must be obtained (Rule 149.1)
- c) Transfer.
- The procedure is the same as for setting up a community.
- d) Suggestions from the 45th General Chapter:
- that the community integrates its life into the mission of the District;
 - that the community strives to be present in ecclesial and inter-congregational spaces (cf. Circular 469, page 13).
 - that the Center of the Institute guarantee an international community of Brothers and Volunteers in each Region where vocation ministry and discernment will be offered in the context of a community life dedicated to the service of the poorest. (Circular 469, Proposition 27, page 34).

6.7 Ministries: Foundation, acceptance, cessation or suppression (c 612, Rule 149.3, Administrator's Directory 42 3, 48 - 49).

- Every foundation or acceptance of a school or educational work requires the advice of the District Council, the written consent of the Ordinary and then the written authorization of the Superior General.
- The procedure is similar to the establishment of a community (Administrator's Directory 46).
- Any cessation or suppression of a school or educational work requires the advice of the District Council, informing the Ordinary about the process of closure that is being proposed in order to get his opinion and the written authorization of the Superior General.
- The procedure is similar to that of closing a community (Administrator's Directory 46).
- “When the Brothers withdraw from an institution that belongs to them, it must be decided beforehand whether they are ceding, keeping or selling said institution. If the institution continues running, the way of ceding the patrimony from this institution to a juridical entity or a legally constituted entity will have to be

studied so that this will not damage the District or the Institute. An association or foundation may also be established” (Guidelines for Financial Administration, 16.2.2).

6.8 Sub-District (Rule 133.4)

- The Sub-District is composed of a sector with a sufficient number of communities and Brothers, located in a particular socio-cultural area or it is in an area remote from the center of the District.
- Statutes, drawn up by the District Chapter and approved by Brother Superior and his Council, determine the powers of the Auxiliary Visitor and those of his Council as well as the diverse aspects of the life and running of the Sub-District. These Statutes also envisage the way of maintaining union with the District.
- The Auxiliary Visitor will be appointed by Brother Superior after a presentation made in accordance with the procedure set forth in the Statutes.
- The Sub-District Chapter, as well as the Sub-District Council, carry out their work as spelled out in the Statutes (Rule 138).

6.9 The Sector (Rule 133.3)

- A District may set up one or more administrative sectors
- Sectors have relative autonomy
- Their autonomy is determined by the District Chapter
- This must be approved by the Superior General
- Sectors are governed by the District Statutes

7. The Delegation (Rule 134-134.1)

A Delegation is a group of communities which, for practical or provisional reasons, cannot form a District or a Sub-District nor an administrative sector.

- The Delegation is dependent upon the Brother Superior General, who is its major superior.
- It falls to the Brother Superior to determine its structures and to appoint those who will be in charge (Rule 134.1).
- The Delegation is governed by its own statutes that must be approved by Brother Superior.
- What is said of the District Council applies also, all things considered, to Sub-District and Delegation Councils (Rule 149.4)

8. The Brothers

8.1 The Postulancy (c 597 §2; Rule 91-91.3)

Admission

- The candidate must expressly ask for admission.
- Admission requirements are determined by the Brother Visitor and his Council.
- Qualities required on the part of the candidate: - good health - balance - apostolic eagerness - seriousness towards the Christian life - sufficient maturity - free of impediments.

Basic guidelines

- The postulancy program must be properly organized and distinct from that of the Aspirancy and Novitiate.
- It is a period to mature in one's vocation.
- It makes possible the maturing of one's personality and going more deeply into one's faith.
- It is the first community and apostolic life experience.
- The details for its running are determined by the Brother Visitor in dialogue with the Formation Commission.

8.2 The Novitiate (c 646 - 653; Rule 92-97.1)

- a) Establishment, transfer, suppression of the Novitiate house
 - This requires the written authorization of Brother Superior with the consent of his Council.
 - Brother Superior, with the consent of his Council, can authorize a candidate to make his novitiate in another community under the authority of an appointed Brother.
 - Brother Visitor may permit the novices, for a determined amount of time, to reside in another house assigned by him.
- b) Process for Admission
 - There must be a written request on the part of the candidate.
 - The District Council's advice is required.
 - It is the Brother Visitor's decision as to who can be admitted.
- c) Conditions for Admission
 - Minimum age: 17.
 - Free of all impediments.
 - Baptismal and Confirmation certificates.
 - Good health, proper temperament, sufficient maturation.

d) Duration

- A minimum of 12 months in the novitiate house.
- The possibility of periods of apostolic activity.
- Maximum duration: two years.
- An absence of three months (whether in succession or not) from the novitiate house makes the novitiate invalid.
- An absence of more than 15 days must be made up.

e) Director of the Novitiate

- The Director is appointed by the Brother Visitor.
- He must have at least 5 years of perpetual profession and the commitment for this post is full-time.

f) Novitiate program

- The program is set up keeping in mind the needs of the novices and it is developed with the active and continuous participation of each one of them.
- It must respond to the specific objectives of the novitiate.
- It must be approved by Brother Superior.
- Formation must be carried out without ever losing sight of the Brother's mission.

g) Beginning, development and purpose of the novitiate

- The beginning of the novitiate is highlighted by a special ceremony.
- The Director of the novitiate, after entering into dialogue with the novice, asking for the advice of his collaborators and contacting the Brother Visitor, may dismiss a novice.
- A novice may leave the novitiate of his own free will.
- At the conclusion of the novitiate, the novice will be admitted to temporary profession or he will be dismissed; the Brother Visitor can prolong this trial period, but for no longer than 6 months (Rule 98).

h) Admission to first vows.

- There must be a written request made to the Brother Visitor, no less than two months before the conclusion of the novitiate.

- At least one member of the novitiate staff is invited to participate in the Chapter of Vows. The Chapter delivers a consultative vote.
- Admission to vows is made by the Brother Visitor.
- Administrative aspects:
 - * In each District a registry is kept for the taking of vows. This registry must be signed by each of the Brothers who is making first vows and by the Brother who receives the vows.
 - * The vow forms, N3 and N4, are sent without delay to the Secretary General.

8.3 Admission to vows (cc 654 - 658; Rule 98-102.1, 98; Circular 438)

a) Temporary vows

– Procedures for admission

- The candidate must request this in writing
- The Brothers who are perpetually professed in the candidate's community, after their deliberations, offer their opinion in writing to the Chapter of Admission. This report will include the result of the vote in favor or against admission. Each person has one vote (Circular 438, page 13).
- The Chapter of Admission is made up only of perpetually professed Brothers as determined by the District Statutes.
- Brother Visitor invites the candidate to speak in person with the members of the Chapter of Admission. The candidate, if he wishes, may express himself only in written form.
- The Chapter of Vows is composed exclusively of perpetually professed Brothers. Other norms may also be specified by the District Statutes.
- The Chapter casts a consultative vote for or against admission by secret ballot. Each member of the Chapter has one vote.
- The admission to vows is decided by the Brother Visitor.

– Conditions for a valid profession

- The candidate must be at least 18 years of age.

- The profession must be received by a competent authority (cf. Rule 98.2).
- Duration of temporary vows
 - The vows may be valid for between one and three years according to the common agreement of those in charge of the District and the Brother who is professing them (Rule 99.6)
 - The period of temporary vows may not exceed 8 years.
 - Brother Superior General may authorize a Brother to extend this period for one additional year.
- b) Perpetual Vows.
 - Procedure for Admission
 - The same procedure as for temporary vows, with the following differences:
 - * The Chapter for Admission must include the members of the District Council who are perpetually professed.
 - * The vote of the Chapter is deliberative: The Brother Visitor cannot admit the candidate to vows if the result of the vote is negative in the majority. But he himself or the candidate may always bring the case to the Superior General.
 - * The minutes for the Chapter for Admission must be sent to the Superior General. The Brother Visitor adds his decision for or against admission. The Brother Superior General confirms or invalidates the decision made by the Brother Visitor.
 - Conditions for a valid profession
 - The candidate must be at least 25 years of age.
 - He must have at least 5 years of temporary profession in the Institute.
 - He must have lived at least 3 years in a community, with some apostolic commitment.
 - The admission must be ratified by Brother Superior General.
 - The profession must be received by competent authority (cf. Rule 98.2).
 - Administrative aspects (MV, 1987, numbers 2.3.2c)
 - Each District keeps a register of the minutes of each profession or renewal of vows. These must be signed by each

of the Brothers who make the vows and by the Brother who receives them.

- These vow formulas, V5T, V5P and V6, are sent without delay to the Secretary General.

8.4 The transfer of community Brothers within and outside of the District

a) Within the District.

- Brother Visitor assigns Brothers to communities within the District, according to the norms set up by the District Chapter.
- At an appropriate time, he sends the corresponding forms to the Secretary General.

b) Outside the District (Rule 146, Administrator's Directory 44 - 45).

- All Brothers belong to a District or Delegation.
- The transfer of Brother from one District to another (change of District) is carried out after having obtained the agreement of the Brother Visitors involved and the Brother in question, in addition to the advice of the respective Councils.
- A contract between the Districts may be drawn up in which the conditions and particulars of the Brother moving from one District to another are laid out as well as the possible return of the Brother to his District of origin.
- The Secretary General of the Institute is informed of the change using form V11.
- In the case of a transfer that does not involve a change of District it would be appropriate also to draw up a contract between the two Districts. The Secretary General is informed of this using form V4.

8.5 Special situations of Brothers (Circular 451; Administrator's Directory 33)

8.5.1 Permission for Absence (cf. Circular 451, pages 6 - 7; Administrator's Directory 33)

- The amount of time allowed: one year, except in cases of personal illness or when the Brother is carrying out studies or apostolic work in the name of the Institute.

- This time is granted by the Brother Visitor with the consent of his Council.
- Reasons: extended need and just cause
- Once granted, the Brother Superior is informed
- Conditions:
 - The obligations of the vows are still in effect
 - The Brother cannot take measures that are incompatible with his state as a religious.
 - He is free to wear the habit, unless otherwise specified.
 - He retains active and passive voice.
 - N.B. Visitors must take the appropriate means when the period of absence for a Brother expires. If not, the Brother enters into a period of illicit absence (cf. Circular 451, page 13).
 - It is a good practice to draw up an agreement in which the conditions that govern the period of absence are spelled out, both for the District and for the Brother who is absent.
 - A one year's extension for the permission of absence: Only Brother Superior may grant this with the consent of his Council. If the absent Brother is not going to return to the community after this one year extension he must obtain the indult for exclaustation or be dispensed from his vows.

8.5.2 Exclaustation (cc 686.1, 687; cf Circular 451, pages 8 - 9; Administrator's Directory 33)

- Period allowed: Up to three years. More than three years and any extension must be referred to the Holy See.
- Granted by the Superior, with the consent of his Council.
- Reasons: there must be “grave cause.” In cases such as caring for a sick person, or providing aid to a family after the death of the “breadwinner”, it may be preferable to request exclaustation for an indefinite period from the Holy See.
- Conditions: the same as for permissions to be absent, except that the Brother loses active and passive voice.

8.5.3 Imposed exclaustation

- This is granted by the Holy See, after a request from the Superior General, having obtained the consent of his Council.

- Reasons: When the temporary withdrawal of the individual for the good of all those involved is considered necessary. The intent is to give the individual an opportunity to reconsider his position. Equity and charity must be observed.
- Means to adopt: The Visitor presents the request to the Superior General and he explains to him why this type of measure is necessary. If Brother Superior and the Council approve the request, it goes to the Holy See (c 686.). The Brother must be advised of the intent and he has the right to defend himself personally (Administrator's Directory 33.8).

8.5.4 Transfer to another Institute (Applicable only to those with perpetual vows) (cc 684 - 685; Administrator's Directory 34; Circular 451, pages 10 - 11)

- Period allowed: A trial period of at least three years is required before being admitted to a new Institute as a perpetually professed member.
- This is granted by the Superior Generals concerned, with the consent of their Councils. The respective Visitor sends his own opinion and that of his Council to the Superior General.
- The transfer of a member of the Institute to a Secular Institute or to a Society of Apostolic Life, and vice-versa, requires permission from the Holy See.
- Conditions during the trial period:
 - A Brother with perpetual vows who has begun the trial period in another Institute remains connected to our Institute only by his vows and must observe the laws proper to the new Institute.
 - An agreement should be established that specifies the financial obligations such as medical insurance, travel...between the Visitor and the receiving Institute.
 - When he professes in the new Institute his previous vows, right and obligations are rendered nugatory.

8.5.5 Transfer to the secular priesthood

- Measure to be taken:
 - During the preparation time for priesthood he can request permission for absence or exclaustation. Before either can

be granted, he needs to have a written acceptance on the part of the Ordinary from the Diocese in which the Brother will carry out his preparation.

- Dispensation from his vows is requested once the date of deacon ordination is known.

8.5.6 Immediate Expulsion from the community (Circular 451, page 13; Administrator's Directory 39)

- This is exercised by the Brother Visitor, making use of his powers in case of emergency, and if there is danger of delay, it is exercised by the Brother Director with the consent of his Council.
- Reasons: grave outside scandal or very grave damage that threatens the Institute (c 703).
- This is a temporary measure. If deemed necessary the Visitor, later on, begins the process of expulsion from the Institute or he informs the Superior General who, in turn, will remit the case to the Holy See (Administrator's Directory 39).

8.5.7 Illegitimate absence (c 665.2, 696.1; Administrator's Directory 33; Circular 451, page 13)

This is the case of someone who departs his own house without having obtained permission for absence or exclaustation. The superiors need to look kindly at the absence and they should help the Brother to return and persevere in his vocation. An illegitimate absence of more than 6 months constitutes due cause for expulsion from the Institute.

9. Leaving the Institute

9.1 During temporary vows.

- During said period one cannot leave the Institute without first being dispensed from vows by the Brother Superior General with the consent of his Council (Rule 105)
- Two other situations:
 - At the end of the period of temporary vows the Brother decides to leave freely (Rule 99.7).
 - The candidate is not admitted to vow renewal. Causes for rejection must be just (c 689).

9.2 During Perpetual Profession.

- No Brother can leave the Institute without first being dispensed from vows by the Holy See. Brother Superior will make the request, giving his own opinion and that of his Council (Rule 105).
- Procedure to be followed: All requests for dispensations must be addressed to Brother Superior through the Brother Visitor. The request to be sent to Brother Superior must contain:
 - A personal letter from the Brother making the request to the Superior in which he states his reasons for the request.
 - A letter from the Brother Visitor in which he gives his opinion about the case.
 - A summary sheet with the personal data of the Brother.
- The rescript for dispensation must be sent by the Procurator General to the respective Brother Visitor accompanied by an acceptance form that the requesting Brother must complete that gives evidence of the acceptance or rejection of the dispensation. The form must be returned to the Procurator General.
- Ordinarily, the Brother involved keeps the rescript. The District might want to keep a photocopy as will the Procurator General (Administrator's Directory 37, 2).

9.3 Aid to the Brother who leaves the Institute. The Brother who legitimately leaves the Institute or who is legitimately dismissed from it can not demand anything for any work done while a member of the Institute. Charity and equity require the Brothers to not forget their obligations towards those who leave the Institute (Rule 107; c 702). It is important to point out that “between the Institute and its members there is no labor agreement, but only a religious agreement” (Guidelines for Financial Administration 25.6.3b). Districts may establish their own policies of assistance for those who leave the Institute.

10. Expulsion from the Institute (Circular 451, pages 14 - 15).

10.1 Automatic Expulsion from the Institute:

- Reasons: Public abandonment of the Catholic faith, contracted or attempted marriage (including civil marriage) (c 694).

- Measures to be taken: the major superior gathers evidence and, with his Council, issues without delay, a declaration of the fact, so that the separation can be juridically proven (Administrator's Directory 38, 1).

10.2 Obligatory Expulsion from the Institute.

- Reasons: Murder, serious assault and injuries and kidnaping (c 1397); procuring an abortion (c 1398); concubinage, or other sin against the sixth commandment with scandal (c 1395.1); offense against the sixth commandment when this crime has been committed with violence or threats or publicly or with a minor under the age of sixteen (unless the superiors do not think that dismissal is absolutely necessary to restore justice and repair the scandal - c 695 §2).
- Measures to be taken: The Visitor gathers evidence about the facts and his accountability, he presents the accusation to the Brother along with the evidence, giving him the chance to defend himself. All the minutes regarding this are sent to the Superior General, they are signed by the Visitor and by a notary (District secretary or another Brother may do this) and the written responses of the Brother accused duly signed (Administrator's Directory 38.2; c 695 §2).

10.3 Expulsion for other reasons. There are grave, external causes, juridically tested, that may lead to expulsion from the Institute (Administrator's Directory 38.3): habitual disregard for the obligations of consecrated life, repeated violations of the sacred bonds, persistent disobedience regarding legitimate orders from superiors in grave matters, grave scandal caused by the culpable conduct of the Brother, the defense or obstinate propagation of doctrines condemned by the magisterium of the Church, public adherence to ideologies contaminate by materialism or atheism and illegitimate absence for more than one semester (c 696).

Important observations:

- In all cases in which expulsion from the Institute is incurred the Superior General must be notified immediately.

- The procedure for separation is very rigorous the correct procedures must be strictly followed (cf. Administrator's Directory 38.3).

10.4 Readmission to the Institute (Rule 108; c 690 §1; Administrator's Directory 40)

- The readmission of a Brother who has legitimately left the Institute is the responsibility of the Brother Superior General with the consent of his Council.
- The candidate for readmission does not need to make the novitiate again, but it is up to the Brother Superior General to set the norms for an appropriate trial period before temporal profession, as well as the duration of the vows that will lead to perpetual profession.

11. Our Deceased Brothers.

- a) During common prayer and Eucharistic celebrations each community recalls the deceased Brothers (Rule 77).
- b) Suffrages: The Administrator's Directory specifies the suffrages that are due certain deceased Brothers according to previous legislation, unless Brothers give up this right on their own and in writing (cf. The different situations in The Administrator's Directory 74 - 77. It is up to Districts and Regions to decide about special suffrages in benefit of deceased Brothers who entered the Institute starting on January 1, 1978 – Administrator's Directory 79).
- c) When a Brother dies, it must be communicated to the Secretary General as soon as possible; it must also be indicated on form V4 (MV 4.3.3).
- d) Brothers may donate their body or organs to science. This decision should be communicated in writing to the Brother Visitor. If a Brother has the intention of requesting cremation after his death, it is appropriate to keep in mind local recommendations and those that have been established within the Diocese (Guidelines for Financial Administration 15.6.4).

12. The Lasallian Family: Affiliated Members, Benefactors, and Associates

12.1 “The expression ‘Lasallian Family’ designates all those who participate in the Lasallian educational enterprise, especially those who are moving toward a sharing of the spirit and the mission of Saint John Baptist de La Salle” (Circular 435, page 49, Proposition 3; Circular 461, number 5.6).

12.2 Belonging to the Lasallian Family: "It is clear that the definition allows for great flexibility in the way a person belongs to the family. It is all inclusive by allowing for levels of depth ranging from profound to cursory" (Circular 461, number 5.6).

12.3 Affiliated Members and Benefactors (Administrator's Directory 52).

- In order to be affiliated to the Institute, the person must have aided the Institute in its mission not only from the financial or material perspective but also by a personal commitment. It is granted by the Superior General and his Council. Cf. The procedure to be followed in The Administrator's Directory 52, 1c.
- The naming of a person as Benefactor is a way of showing recognition for services rendered to the Institute. It is granted by the Visitor and his Council although ratification could be requested from the Superior General and his Council. Cf. The procedure to be followed in The Administrator's Directory 52, 2c.

12.4 Associates (Guidelines from the 43rd, 44th and 45th General Chapters and from Circular 461).

- a) Criteria to be an associate (Circular 447, page 5; Circular 461, number 4.15).
 - 1) A vocation lived according to the charism of Saint John Baptist de La Salle and his values;
 - 2) A life of faith that discovers God in reality, in light of Scripture, and for persons of other religions according to their own sacred texts;
 - 3) A community experience, lived in different ways according to each one's identity;

- 4) A mission that is associated with the service of the poor and that lasts for a certain period of time;
 - 5) A universal openness that opens one to dimensions that go beyond the personal and one's local reality.
- b) Intentional Lasallian groups recognized by the 43rd General Chapter (Circular 447, page 6):
- Groups that have their own autonomy and recognition independently of the Institute of the Brothers of the Christian Schools: The Institutes of the Guadalupanas Sisters of De La Salle, the Lasallian Sisters, the Catechists of Jesus Crucified and Mary Immaculate.
 - Groups that have an organic relationship with the Institute of the Brothers of the Christian Schools: Signum Fidei, the Lasallian Third Order.
- c) "The District is called to be the 'frame of reference' for all experiences in association that are already in place, or that are going to be adopted" (Circular 447, page 9). It is up to the Visitor and his Council to recognize persons or intentional groups as Associates (Circular 447, page 5).

12.5 Lasallian Association and the Lasallian Family

- a) a) "All Brothers of the Christian Schools and Lasallian associates – officially recognized or not – are members of the Lasallian Family de facto." It is incorrect to say that all members of the Lasallian Family are associates but the converse is true" (Circular 461, number 5.7).
- b) Vital to the life and mission of the Institute of the Brothers is its "wholehearted participation as a member of the Lasallian Family. As a religious Institute all of its members are de facto associates and members of the Lasallian Family" (Circular 461, number 5.16).
- c) Terminology: It is appropriate to employ correctly the following terms: Institute, Lasallian World, Lasallian Family, Brothers, Lasallians (cf. Circular 461, number 5.8).

13. Interdependence:

- "When a District sends a Brother as a collaborator with another District or to a common project of several Districts, a contract will be set up which will specify, among other things: a) The length of the commitment; b) Who the Superior is for the project and in what manner; c) Who is in charge of social responsibilities and extraordinary expenditures of the Brother who is sent: health insurance, social security, social security in the country of origin, travel, programs for updating, etc.; d) directives concerning costs that must be paid, money and other goods that must be collected; e) the names of the Superiors and/or Administrators to whom an account of the administration must be rendered" (Guidelines for Financial Administration 27.1).
- When a District annually contributes financial aid to another District, a specific contract is set up which will specify, among other things: a) The length of the commitment; b) the financial percentage to be contributed annually or criteria is set up to fix said percentage; c) the way of informing and justifying said aid to the other District (Guidelines for Financial Administration 27.2).

III THE ACQUISITION, ADMINISTRATION AND DISPOSAL OF GOODS

Districts have the capacity to acquire, own, administer and dispose of temporal goods, with a view to carrying out its own mission and not for the purpose of lucrative ends. Districts act within authorized limits and under their own responsibility, in conformity with the law of the Church and of the Institute and taking into account the requirements of civil law (cf. Rule 150).

14. Role of the Brother Visitor in the administration of goods

14.1 Role of the Brother Visitor in the administration of goods in general.

- “The Brother Visitor ensures that the requirements of canon law and civil law are complied with in what concerns the goods of the District and the patrimonial goods of the Brothers. The same applies to social justice as it affects the personnel employed by the communities. He authorizes building works and repairs and other expenditures within the limits approved by the Brother Superior General” (Rule 142.4).
- The Brother Visitor sees to it that "the resources are shared equitably...so that differences may be reduced in the living conditions between communities within the same sector" (Rule 150).
- The Brother Visitor appoints the District Bursar (cf. Rule 151).
- The Brother Visitor appoints the Finance Council (cf. Rule 151; Guidelines for Financial Administration 21.3.1).
- The Brother Visitor pays close attention to the "District Funds" (Guidelines for Financial Administration 25.6).

14.2 The Role of the Brother Visitor in the administration of goods at the local level.

With regard to local administration it is the Visitor's responsibility:

- a) to approved the budget of each community and institution within the District;
- b) to approve the balance and the results (income and expenses) of each community and the institutions that are the District's direct responsibility;
- c) to be vigilant about

the appropriate remuneration for the work of the Brothers in academic and other institutions; d) as far as possible, to promote the centralization of an accounting system for each of the communities and District-sponsored institutions; e) to ensure that the accounting of communities and educational centers are separate (Guidelines for Financial Administration 21, 1 - 3).

14.3 Conditions for the validity of certain acts on the part of the Brother Visitor.

- The following requires the consent of the District Council: a) The transfer of goods from one house to another within the District; b) The disposition of the goods of a house that is closing; c) Determining the powers given to Brother Directors and Bursars in economic matters; d) Any other extraordinary administrative measures which involve the Districts's finances (cf. Rule 149.1).
- The advice of the District Council is required for: The appointment of the Bursar (Rule 149.2).
- The following require the approval of the Brother Superior General and the advice of the District Council: a) All alienation of goods when the limit imposed by the Holy See is exceeded; b) All borrowing or lending outside the District when the amount or conditions imposed go beyond the limits fixed by the General Council.

15. The Brother Bursar of the District (Rule 150-151.2)

- "In each District, a Bursar, distinct from the Brother Visitor, but acting under his authority, is responsible for the administration of material goods. He has the assistance of an Economic Council" (Rule 151). He is appointed by the Brother Visitor with the advice of his Council (cf. Rule 149.2, 2nd paragraph).
- Criteria for the exercise of his duties: a) The Brother Bursar is obliged to carry out his mission with the diligence of a good steward (c 1284, 1); b) He should see to it that goods and property are dealt with in ways that are valid in civil law (cf. C 1284, 2.2), in accordance with the law of the Church and of the Institute (cf. Rule 150, Guidelines for Financial Administration 22.3); c) He should see to it

that he administers goods as a depositary of the goods of the Church (cf. Rule 150). He administers the temporal goods of the District and, to do this, he exercises functions of management, control, information, advice and counsel.

- Every year, the Bursar submits a report on the financial situation of the District to Brother Visitor and his Council for their approval. Once this report has been declared accurate, it is sent by the Brother Visitor to the Brother Bursar General (R151.2).

15.1 Management: a) He administers the patrimony of the District; b) He prepares and presents the annual District budget, according to the guidelines of the District Chapter, to the Visitor and his Council for their study, discussion and approval (cf. Guidelines for Financial Administration 122 b); He manages the various District funds and stock market investments; d) He organizes and supervises the accounting for the District and he prepares documents for annual verification; e) He convokes and normally presides over the meetings of District Economic Council; f) He participates actively in the administration meetings of the institutions for which the District is legally responsible; g) Before beginning a judicial process, he seeks authorization from the Brother Visitor and consults with a lawyer to obtain a juridical opinion; h) At least once per quarter, he settles his accounts with the Bursar General, other Districts and the Region (cf. Guidelines for Financial Administration 22.4); i) If the District receives aid from SECOLI, he is the one provides reports on their use to SECOLI.

15.2 Verification: a) He keeps a check on the budget during the year with the aid of the Economic Council; b) He checks periodically the results of bank and stock investments; c) He checks the statement of accounts sent periodically by communities and the establishments under the administrative supervision of the Brothers (cf. Guidelines for Financial Administration 22.5).

15.3 Information: a) The Bursar informs the Visitor regularly about the financial situation of the District and, at the end of the accounting period, he prepares the financial statements and the

other documents that the Visitor must send to the Bursar General; b) He presents these statements to the members of the District Economic Council and to the District Council; c) He looks after the financial archives of the District and deposits documents in it: contracts, agreements, purchasing acts, sales transactions, surveys, construction plans and specifications, balance sheets, annual trading accounts, etc.; d) he keeps the list of the District benefactors up-to-date.

15.4 Advice: a) He serves as the main advisor of the Visitor and of the District Council in taking important decisions relating to financial matters; b) He helps communities to organize their bookkeeping system and determines when accounts should be sent to the District Bursar.

15.5 Handover of responsibility: When a Bursar is changed, he hand over to his successor a written and signed report on the economic and financial situation, and the states of the patrimony of the District and each of the funds. His successor will testify in writing and with his signature that he has seen all the accounts. A copy of these documents must be kept in the archives of the Community or of the District. At the same time, all the necessary formalities have to be carried out regarding the change of signatures for the different bank accounts (cf. Guidelines for Financial Administration 4.4).

16. The District Economic Council

16.1 Basic guidelines: a) The Brother Bursar of the District is aided and advises by the District Economic Council which oversees the carrying out of budgets that are duly approved and he studies the solutions to problems that arise (cf. Rule 151.1); b) Its members are appointed by the Brother Visitor; c) “The Brother Bursar is a member by right; ordinarily, he is the chairman” (Guidelines for Financial Administration 23.4).

16.2 Mandate of the Economic Council. It is a consultative body and must be consulted in the following circumstances: a) The preparation of the annual budget (Rule 151.1); b) Checking how the budget is being followed (Rule 151.1); c) Studying ways of

solving difficulties that arise (Rule 151.1); d) Checking the budgets of communities and establishments depending on the District; e) Borrowing, loans, investments, etc.; f) Constructions, permanent improvements, sales; g) All other projects submitted by the Brother Visitor; h) The preservation of the District patrimony. The Economic Council may occasionally call in experts, according to need. "Minutes are kept of the meetings of the Economic Council. They are submitted to the Visitor and to the District Council and then deposited in the District Bursar's archives" (Guidelines for Financial Administration 23.7).

17. Relationship with the Center of the Institute

17.1 Financial contributions from Districts to the Center of the Institute

- Principle: The various Districts, Sub-Districts and Delegations jointly contribute towards the costs of the central administration of the Institute... (cf. Rule 151.3; Circular 469, Proposition 47, pages 52-53).
- Types of contributions (Guidelines for Financial Administration pages 14 - 20; cf. Circular 469, Proposition 47, pages 52 -53): a) Obligatory according to the category of participation. This contributions make possible also the creation of the Solidarity Fund, which is a fund where the capital is not accumulated but which is distributed annually; b) Voluntary: By means of this the Formation Fund can be increased as well as the Superior General's Fund and SECOLI projects.

17.2 Annual Financial Report to be sent to Rome.

The Bursar furnishes an annual report on the financial condition of the District to the Brother Visitor and the District Council (Rule 151.2). This report must include the following: a) The state of District patrimony; b) The annual budget as well as income and ordinary District expenditures; c) The annual budget as well as income and extraordinary District expenditures; d) The state of District funds; It is also advisable to send a summary report on the situation of the budgets, income and expenditures of other financial activity or institutions such as: bookstores, publishing

companies, universities, etc., that depend on the District (cf. Guidelines for Financial Administration 21.3.3). "It would be advisable to have these statements endorsed by auditors" (Guidelines for Financial Administration 21.3.4).

- Also, the following should be sent: a) Brief comments from the Brother Bursar of the District on important topics relative to the District Administration, communities and institutions; b) A letter of introduction from the Brother Visitor. All these documents are sent to Brother Superior General (cf. Guidelines for Financial Administration 21.3.5).

18. The limits of the financial powers of the Brother Visitor and his Council

18.1 Principles.

- Districts and communities “have the right to acquire, possess, administer and dispose of material goods in view of their specific mission...within the authorized limits and under their own responsibility...” (Rule 150).
- “For the validity of any alienation of goods or any operation in which the patrimonial condition of a juridical entity may be damaged, permission in writing from the competent Superior must be obtained along with the consent of his Council...” (c 638 §3).
- “These financial operations are of the following types: purchases, sales, construction, exceptional repairs, borrowing, loans, gifts, contracts with financial implications exceeding fixed limits, etc.” (Guidelines for Financial Administration 24.5).

18.2 Application: According to categories established by the Center of the Institute, limits on financial powers are determined (Guidelines for Financial Administration 24.6).

- The annual upper spending limit of the Brother Visitor
- The annual authorized limit for Brother Visitor and his Council each time they approve an exceptional amount not included in the annual ordinary running costs budget.
- The authorized for the Brother Visitor and his Council (total annual amount).

18.3 Procedure for extraordinary expenses.

“Before incurring these expenses, it is advisable to do the following: a) Make sure to secure the advice of experts every time the nature and importance of the matter warrants it; b) Calculate the costs as precisely as possible without forgetting hidden expenses: fees, various taxes; c) Study the financial consequences of the proposed expense: a decrease in income, interest charges, an increase in everyday expenditure such as: taxation, upkeep of buildings and furniture, need for increased personnel; d) Draw up a financial plan which sets aside the resources required to meet the proposed expenses; e) Obtain the permission of the Superior General and the consent of the General Council for all important acquisitions or restoration, for all outside borrowing when the cost exceeds the maximum that can be authorized...” (Guidelines for Financial Administration 4.3).

19. Guidelines for some situations of extraordinary administration

19.1 Purchases, loans and alienation of goods

- General principle: “Before taking a final decision about a sale, purchase, construction, renovation or extension of a building, etc., the District Council will express its approval or disapproval of the request, after taking into consideration the advice of its Economic Council” (Guidelines for Financial Administration 5.1).
- If the expenditure exceeds the limits of his powers, the Brother Visitor must obtain the advice of his Council and request in writing of the Superior General for permission to proceed (cf. Rule 149.3).
- If the project envisions one or more loans, a separate request to the Superior General must be presented for each one. A copy of the balance sheets of the last two years should be added to the report. The length of time needed to study a dossier in Rome normally is not more than two or three weeks. (cf. Guidelines for Financial Administration 5.1).
- All alienation of goods which exceeds the limits set by law, as well as the alienation of precious objects due to their artistic or

historical value, require the approval of the Superior General with the consent of his Council (cf. Rule 130.1, 3rd paragraph).

19.2 The purchase of property or buildings.

“For all purchases exceeding the upper spending limit of expenses not requiring authorization, the Brother Visitor must send a report to Brother Superior with :

- a) the reasons for the purchase;
- b) the location and a brief description of the property or buildings to be bought;
- c) the names of the owners who are selling and of the body that is buying;
- d) the price of the purchase in the local currency and in US dollars; e) the total cost of the transaction, including all expenses, and any conditions attached; f) details of how the purchase will be funded, annual financial statements for the previous two or three years, and forecasts for the future; g) various opinions (that of the District Council, the District Financial Council..." (Administrator's Directory 29.1; Guidelines for Financial Administration 5.2).

19.3 Buying Important Equipment.

This has to do with non-educational establishments run by the Brothers, like printing works, bookshops, agricultural land, etc. Documentation sent to Brother Superior should include: a) the reasons for buying; b) brief description of the use of the equipment in question; c) the name of the organization making the purchase; d) the cost of the purchase including all taxes; e) details of how the purchase will be funded; f) various opinions (District Council, District Economic Council...) (Administrator's Directory 29.2; Guidelines for Financial Administration 5.3).

19.4 Construction, developments and important repairs

- “...the documentation sent to Brother Superior will include the following information: a) reasons for the proposed building work; b) the name of the company doing the building, alterations or repairs; c) a description and the plans of the proposed building; d) the expected cost (estimate) of the work

in the local currency and in US dollars; e) various opinions (District Council, District Economic Council...). Note: Add the funding plan and balance sheets for the last two or three years. (Guidelines for Financial Administration 5.4; Administrator's Directory 30).

- Before starting construction or renovation, care must be taken:
 - a) to appoint a committee to study and supervise the project and its execution;
 - b) to choose an architect or a qualified expert to draw up plans, with the consent of the District Council;
 - c) to appoint a lawyer to draw up the contract, wherever this is the practice;
 - d) to secure a construction permit, if this is required (Guidelines for Financial Administration 6.1-2).
- Plans and specifications are to be handed over to a competent committee (Guidelines for Financial Administration 6.3). "All important construction work will be put out to tender accompanied by the detailed and descriptive estimates drawn up by the architect..." (Guidelines for Financial Administration 6.4).
- "Before signing any contract, our representatives will require from the architect and from each of the contractors chosen a proof that they are properly insured against all professional risks until the completion of the job or during the legal period of warranty" (Guidelines for Financial Administration 6.5).
- It is advisable and recommended, even if no law of the country requires it, to take out special insurance guaranteeing the completion of the work and guaranteeing similarly the setting right of all construction defects during the legal period of the warranty (cf. Guidelines for Financial Administration 6.5).

19.5 Borrowing Outside the Institute.

- Borrowing outside the Institute, when the spending limit granted by Brother Superior to Brother Visitor or to the District Council is exceeded, must be submitted to Brother Superior General with the consent of his Council (cf. Rule 130.1, 4th paragraph).
- "The report requesting authorization to be sent must include: a) reasons for loan; b) the name of the borrower and of the lender; c) the sum being borrowed and the annual rate of interest; d)

duration of the loan; e) scheme for repayment of the loan; f) the annual financial statements for the previous two or three years of the District or organization requesting the loan; g) various opinions (District Council, District Economic Council...; photocopies of letters of guarantee from local authorities or other bodies (given in some countries), mortgages applied for” (Guidelines for Financial Administration 5.5.1).

19.6 Borrowing Within the Institute:

- “Authorization is required from the administrative center of the Institute only if the amount involved is more than twice the usual upper spending limit” (Guidelines for Financial Administration 5.5.2).
- “In cases where the sum involved is higher than this doubled spending limit, the request for authorization from Brother Superior should be accompanied by the following information: a) the names of the borrower and the lender; b) reason for the loan; c) the amount involved and under what conditions; d) a copy of the proposed contract for signature by the Bursar General, acting as official witness for the central administration of the Institute” (Administrator's Directory 31.2).

19.7 Alienation of Goods.

“...The request for authorization from Brother Superior should be accompanied by the following information: a) reason for the sale; b) the location and a brief description of what is to be sold; c) the name of the purchaser; d) the value of what is being sold in the local currency and in US dollars; e) what the money from the sale will be used for; f) various opinions (District Council, District Economic Council...)” (Rule 122a, paragraph 3; Guidelines for Financial Administration 5.7; cf. Administrator's Directory 32).

19.8 Alienation Benefitting Relatives or Employees.

“Unless they are of little value, ecclesiastical goods are not to be sold or leased to the administrators themselves or to their relatives up to the fourth degree of consanguinity or affinity, without the special written permission of the competent authority” (c 1298; cf. Guidelines for Financial Administration 5.9).

19.9 Gifts Involving No Obligation.

Gifts that involve no obligation can be accepted by those in charge of communities or institutions. But if the value of the gift exceeds what is allowed by the Visitor, those in charge will let him know and the Visitor will give his instructions regarding the best use to be made of the gift (cf. Guidelines for Financial Administration 7.2).

19.10 Donations Entailing Conditions or Obligations.

“The consent of the Visitor, after the advice of his Council has been given in writing, is required to authorize a moral person of the Institute to accept pastoral obligations dependent on a donation. Donations linked to constraints are not to be accepted without the advice of the Superior General unless the obligations are minimal and for a length of time no exceeding a period of five years” (Guidelines for Financial Administration 7.3).

19.11 Acceptable Donations.

“We may accept with the approval of the Visitor donations intended for study grants for the Brothers, for students, for lay teachers in our establishments, for missionary organizations, for our social educational work, for the support of our older and retired Brothers. These donations must be incorporated into one of the funds of the District, according to their destination and their objectives” (Guidelines for Financial Administration 7.3.2). In any case, certain precautions must be taken (Guidelines for Financial Administration 7.5).

19.12 Loans to relatives.

It is wise and safe for a Director or for a Visitor to avoid making loans to a relative or to a next of kin but in certain special circumstances it can be done with permission from the Visitor with the advice of his Council (Guidelines for Financial Administration 8.1.1).

19.13 Loans to other persons.

- Only in rare and serious cases can the Visitor authorize a loan to other persons, but it can be done only in a case where

recuperation is assured. The amount and conditions of a contrast valid in civil courts must be written down as well as other particulars (Guidelines for Financial Administration 8.1.2)

- It is the responsibility of the Visitor, with the advice of his Council, to establish the practical norms of lending, bearing in mind the labor and fiscal legislation of the country concerned (cf. Guidelines for Financial Administration 8.1.2). Any act of borrowing or lending entered into with persons outside the Institute, when the amount or the conditions involved exceed the powers granted by the Brother Superior to the Brother Visitor and the District Council needs to be submitted to the Brother Superior General with the consent of his Council (cf. Rule 149.3).

19.14 Deposits from Persons Outside the Institute.

Directors and Administrators are not allowed to receive money deposits from persons outside the Institute, except for serious reasons, with all precautions taken (Guidelines for Financial Administration 8.2).

19.15 Donations and charitable gifts outside the Community.

The Brothers share generously the resources they derive from their labor with the poor (cf. Rule 35b) and therefore “budget estimates should allocate certain sums of money to poor people and charitable organizations” (Guidelines for Financial Administration 8.3).

19.16 Donations to Relatives.

“The Brothers will avoid giving without good reason, Institute money to their relatives, friends, acquaintances, or others through filial devotion or imprudent compassion. When these donations reach an amount that exceeds the norms established by the Brother Visitor and his Council, authorization must be sought from the competent authority” (Guidelines for Financial Administration 8.3.2).

19.17 Gifts of Goods.

In cases where the manner of requesting permission is not covered, the following must be adhered to: “When requests are submitted to

Brother Superior and his Council, the following information should be provided: a) Name of District and of community; b) Purpose of request: motives and explanations for the request; c) Estimate or total cost of transaction; d) Method of funding, or purpose of sum obtained; e) Opinion of Economic Council and of District Council, including voting figures; f) Opinion of Brother Visitor” (Guidelines for Financial Administration 24.5).

20 Some Conditions for the Management of District Goods

20.1 The Budget.

- The ordinary budget. In conformity with the guidelines established by the District Chapter, the Bursar, with the help of his Council, prepares the annual budget which he then submits to the Brother Visitor and his Council. The Economic Council, for its part, controls the manner in which the budget is followed and studies ways of solving the difficulties that arise (cf. Rule 151.1).
- Budget for extraordinary expenses: “When extraordinary expenses are foreseen, a clear distinction is to be established between the normal budget and the budget for those exceptional expenses” (Guidelines for Financial Administration Guidelines for Financial Administration 9.6).

20.2 Daily Bookkeeping: “Daily, one must write down everything that has been received or spent in cash for whatever reason and also all other bookkeeping operations...All bookkeeping operations must be accompanied by a supporting document” (Guidelines for Financial Administration 10.4).

20.3 Bookkeeping Organization: Usually, the Visitor keeps a check through the District Bursar (cf. Guidelines for Financial Administration 11.1).

20.4 Document Archives: Bursars must make sure that the documents in which the laws of the Institute regarding good are founded are kept and classified in order to facilitate access at all times (cf. Guidelines for Financial Administration 12.1). It is the responsibility of the Visitor, with the advice of his Council, "to

decide what documents must be kept in the archives of our communities, of our establishments and the ones to be kept solely in the archives of the District (Guidelines for Financial Administration 12.1).

20.5 District Accounting Books: The civil law must be respected and it is recommended to keep the accounting books of the District indefinitely on account of their historical value (cf. Guidelines for Financial Administration 12.3).

20.6 Back-Up Documents: “These documents should be kept for at least as long a time as determined by the civil law. After that, the District Bursar decides with the advice of his Economic Council, which documents to keep, reduce, or destroy” (Guidelines for Financial Administration 12.4).

20.7 Insurance: “The District Bursar is normally the person primarily responsible for insurance. The reason for this is to avoid misunderstandings that could turn out to be costly” (Guidelines for Financial Administration 13.6) “It could become desirable to prepare a document listing insurance requirements and to ask three or four brokers to put in a tender” (Guidelines for Financial Administration Guidelines for Financial Administration 13.7).

20.8 Money in Banks: Bank accounts of all categories should be in the name of the juridical person of the Institute: a community, a school, a District, etc. (Guidelines for Financial Administration 14.1.2) a) If for legal or political reasons a bank account has to be created in the name of a person, at least two signatures should be appointed and have the power to withdraw sums of money separately. (cf. Guidelines for Financial Administration Guidelines for Financial Administration 14.1.2 b).

20.9 Management of Buildings: In the case of “the acquisition of buildings, care must be taken the upkeep and supervision are assured. The choice of persons to see to this should be made in the light of the importance of property. They could be competent members of the Institute or an efficient building management society” (Guidelines for Financial Administration 14.5.8).

20.10 Investment Policy: “Those responsible for a District, for a Region or for the Center of the Institute have to determine a financial policy based on their pastoral, educational and missionary priorities and specify the resulting financial needs” (Guidelines for Financial Administration 14.6).

20.11 Prohibited Investments: “Areas of investment prohibited for the Church and for Religious Congregations are: a) the production, the importation or the distribution of pornographic material; b) the support of prostitution; c) projects relating to organized gambling; d) abortion; e) illegal drugs” (Guidelines for Financial Administration 14.6.4).

20.12 Other areas: “As regards other areas, the line followed may range from the refusal to invest, to trying to establish a dialogue amongst the shareholders of a company, to bring about a change of policy. Amongst the areas referred to, we can mention: a) respect for human rights in countries with a repressive government, or in a company; b) the production of weapons of all kinds; c) respect for human rights; d) the production of tobacco and alcohol; e) discrimination” (Guidelines for Financial Administration 14.6.5).

20.13 Social Justice: The Brother Visitor ensures social justice as applied in favor of the personnel employed (cf. Rule 142.4). “It is the responsibility of the Brother Visitor to make sure that all our establishments are models regarding the observance of social justice in our dealings with our lay collaborators, according to the civil laws of the country” (Guidelines for Financial Administration 17.2). “With regard to its employees and auxiliary personnel, the community observes both the obligations of social justice and the demands of Christian charity” (Rule 58.3).

21 Distinction in the District Patrimony between Goods directly in service of the mission and Goods in service of other needs of the District.

- There are two areas involved: a) the District (Circular 455, page 53); b) the area of the Community (Rule 150.2; Guidelines for Financial Administration 26.3).

- “Where civil law allows it, each community will have a financial administration, a budget and accounts separate from those of the educational establishment or establishments of which it has charge” (cf. Rule 58.1; Guidelines for Financial Administration Guidelines for Financial Administration 21.1.3 e; 26.1).
- “As far as possible, the authority given to the Director or to the administrator by the statutes and civil regulations of establishments, should be restricted to powers which these same persons have, according to the Code of Canon Law and to the norms of the Institute” (Guidelines for Financial Administration 26.2).
- “An accurate and up-to-date inventory should establish the distinction between the goods of the community and those of the establishment...” (Guidelines for Financial Administration 26.3e).

22 The Patrimony of the Brothers

22.1 Principle.

The Brothers retain only the bare ownership of their patrimony as well as the right to inherit. By the vow of poverty the Brothers forego the independent use and disposal of goods or objects having monetary value (Rule 41).

22.2 Effects:

- “Whatever a Brother produces by his work, and whatever he receives as a salary, pension or donation, belongs to the Institute” (Rule 41). Inheritance from relatives is not in this category, which must be added to the patrimonial goods (Rule 42).
- “Before their first profession, the Brothers hand over to someone of their own choice the administration of their patrimony and its revenue” (Rule 42).
- “Before their perpetual profession the Brothers make a will, valid in civil law, by which they dispose of their personal temporal goods” (Rule 42). “They abide by the civil legislation of their country regarding the way of formulating and keeping their testament” (Guidelines for Financial Administration 15.4).

“The original copy is to be kept in the Archives of the District and a second copy is kept by the Brother, in case he leaves the Institute” (Guidelines for Financial Administration 15.5).

- “In order to change any of the dispositions already made, or to take any action whatever concerning their temporal goods, the Brothers need the permission of the Brother Visitor” (Rule 42).

22.3 Ability to Renounce One's Personal Goods (Rule 43).

- Any Brother having at least five years of perpetual profession may freely renounce his personal goods.
- To obtain authorization to do this, the Brother presents his request to the Brother Visitor who then forwards it to the Superior General.
- The act of renunciation will be, as far as possible, valid in civil law.
- “The Institutes contracts no obligation by authorizing the renunciation made by a Brother if he latter subsequently leaves the Institute” (Guidelines for Financial Administration 15.3).

22.4 Supplementary Comments.

To have a bank account, a Brother must have the permission of the Visitor (Guidelines for Financial Administration 15.2.3 a).

22.5 To Guarantee Personally.

- “It is forbidden for a Brother to guarantee personally, in any way whatever, sums of money, loans, the solvency of another person, etc.” (Guidelines for Financial Administration 8.1.3).
- “The Brothers are authorized neither to sign nor terminate contracts relating to their work or to services they render, without the permission of the Visitor. It is better if contracts are drawn up between the District and the body by which the Brothers are employed. By virtue of this contract, the salary, if possible, should be sent directly to the community. If not, it should be given by the Brothers concerned without delay and in its entirety to the community” (Guidelines for Financial Administration 21.1.4).

PROTOCOL FOR MANAGING DOCUMENTS

[Brother Secretary General] ... oversees the preservation, classification and archiving of those documents which are clearly useful both for immediate use by the administration and for the history of institutions (Directory of Administration, ch. 3.10).

In accordance with this duty indicated in the Administrator's Directory, it is the responsibility of the Secretary General to manage the documents, both created and received, that are necessary for the work of the various agencies, secretariats and services operating in the Center of the Institute, as well as documents that are appropriate to be preserved for future history.

It is proposed that in the future this responsibility follow a protocol of norms for the creation, organization and management of documents, as well as for their transferal to the archives to be preserved permanently and utilized in the future by the Institute.

DOCUMENTATION REQUIRED TO BE SENT TO THE CENTER OF THE INSTITUTE:

- 1. Districts and Delegations must send to the General Secretariat of the Institute (Brother Antxon Andueza, aiandueza@lasalle.org) the following documents:**
 - a) Legal statutes of the Region, District or Delegation (each time they are modified),
 - b. Documents and proposals of District Chapters,
 - c. Documents and proposals of District Mission and Ministry Assemblies,
 - d. Annual report of Brother Visitor on the state of the District or Delegation (in January),

- e. Action plans for cases of abuse, battering and bullying,
- f. Minutes of District Council meetings,
- g. Minutes of District Mission and Ministry Council meetings,
- h. Other institutional documents of the District or Delegation such as statement of its distinct character, annual plans of action, plan for communication, campus ministry plan...,
- i. C2-Supplement to the history of the communities and ministerial works (annually, before the end of March, in WORD, Open Office, Works or similar, not to exceed 1MB),
- j. Circulars of Brother Visitor to the communities of Brothers, Associates or other Lasallian family groups,
- k. Periodicals, in digital form or in hard copy, pertaining to the District (hard copies not to exceed 3 issues),
- l. Annual District Directory
- m. Studies, research works and books with Lasallian or pedagogical content published by Brothers and Associates of the District or Delegation (maximum of 3 in hard copy).

The General Secretariat will record these documents when they are submitted and will submit them to the person or section that is responsible for them.

2. The following shall be sent to the office of Brother Superior General (Brother Patrick Duffy, Secretary of Brother Superior General and Executive Secretary of the General Council: pduffy@lasalle.org):

- a. Minutes of the Chapter of Admission to Perpetual Vows
- b. Any documentation relative to dispensation from vows, requests for leaves of absence, dispensation from vows, etc.
- c. Requests to open and close ministerial works and communities. In this last case, the Ordinary of the place must be informed.
- d. Requests for Letters of Affiliation.
- e. Announcements and death notices of Associates, Affiliates and Benefactors of the Institute.

3. The following shall be sent to the Office of Personnel (Paola Molinaro: personnel@lasalle.org):

- a) Information on all changes which occur with regard to Brothers, communities and ministerial works and which cannot be directly recorded in the Database of the Institute. As far as possible, one person in each District or Delegation will be qualified to administer said Database and will be responsible for entering and updating data relative to Brothers, communities and ministerial works in his area.
- b. Forms and documentation relative to first professions, profession of temporary vows, final profession, etc.
- c. Announcements and death notices of Brothers.

4. The following shall be sent to the office of Brother Bursar General (Brother Ambrose Payne: apayne@lasalle.org):

- a) Annual report on the financial situation of the District (Rule 151.2).

5. The following shall be sent to the Brother Councilor for the Region:

All documents sent from the Districts and Delegations to any of the offices of the Center of the Institute should also be made available, in copy, to the Brother Councilor for the Region.