# Ecclesiastical Conditions of Employment and University Standards Policy

The institutions of the Church Educational System (CES) of The Church of Jesus Christ of Latterday Saints (Church of Jesus Christ) are fitly framed and knit together to develop disciples of Jesus Christ who are leaders in their homes, the Church, and their communities. To best accomplish this purpose, CES selects and retains employees who are committed to and represent the teachings, practices, and doctrine of the Church of Jesus Christ.

In October 2021 and January 2022, the Board of Education for the Church of Jesus Christ approved ecclesiastical requirements for employment at CES institutions, including Brigham Young University. The Board of Trustees of Brigham Young University adopted these ecclesiastical requirements for employment. The new requirements were announced on January 27, 2022.

### **Conditions of Employment**

Members of the Church of Jesus Christ who accept an offer of university employment in any nonstudent position beginning on or after January 27, 2022, accept as conditions of employment that they will hold and be worthy to hold a current temple recommend. Those hired into these positions prior to January 27, 2022, are invited to voluntarily accept these same conditions of employment. Members of the Church of Jesus Christ hired in nonstudent positions before January 27, 2022, who have not voluntarily accepted these conditions of employment continue to accept as a condition of employment the standards of conduct consistent with qualifying for temple privileges.

The Church of Jesus Christ may adjust the criteria for a temple recommend in its sole discretion. Temple recommend worthiness is an ecclesiastical determination made by local leaders of the Church of Jesus Christ. The university does not intervene in ecclesiastical determinations.

All employees accept as conditions of employment that they will

- refrain from behavior or expression that seriously and adversely affects the university mission or the Church of Jesus Christ,
- act in accordance with the <u>Church Educational System Honor Code</u> and the <u>Church Educational System Dress and Grooming Principles and Expectations</u>, and
- comply with all other university policies.

See Personnel Conduct Policy.



#### Pre-Hire Ecclesiastical Clearance and University Standards Compliance Verification

Members of the Church of Jesus Christ, including current BYU employees, who satisfy academic and professional requirements and apply for nonstudent positions must receive clearance from the Ecclesiastical Clearance Office of the Church of Jesus Christ (ECO) before they can be considered for employment in those positions. The ECO, an office approved by the First Presidency of the Church of Jesus Christ, confirms that candidates meet ecclesiastical requirements and indicates to the university only whether candidates are cleared or not cleared ecclesiastically to be considered for the position.

The ECO contacts current and former ecclesiastical leaders and asks them the questions provided <a href="here">here</a>. It also reviews and assesses the candidate's

- historical and current activity in the Church of Jesus Christ;
- religious behavior;
- public positions or statements related to leaders, doctrine, and policies of the Church of Jesus Christ; and
- support for the teachings, practices, and leadership of the Church of Jesus Christ.

The university verifies compliance with university standards for candidates for nonstudent positions who are not members of the Church of Jesus Christ and who satisfy academic and professional requirements.

Many nonstudent positions have no expectations of continuing employment, such as adjunct, evening, study abroad, and Education Week class instructors; and athletic and music camp instructors. For these positions, the pre-hire ecclesiastical clearance process (for candidates who are members of the Church of Jesus Christ) or university standards compliance verification process (for candidates who are not members of the Church of Jesus Christ) occurs prior to the commencement of each new contract period, and in any event no less than annually. If a candidate for these positions is already a current BYU employee, the pre-hire ecclesiastical clearance process, and the temple recommend condition of employment, applies only to applications for these positions and this portion of employment at BYU.

Members of the Church of Jesus Christ who serve in key leadership and administrative positions within the university's faculty and administration accept as conditions of employment that they will hold and be worthy to hold a current temple recommend, regardless of when they were initially hired. Final candidates for initial employment in faculty positions in the continuing faculty status (CFS) track and in certain other administrative and faculty positions also interview with a general authority of the Church of Jesus Christ as part of the ecclesiastical clearance process or university standards compliance verification process.



### Continuing Employee Ecclesiastical Conditions of Employment and University Standards Compliance

Employees in nonstudent positions who are members of the Church of Jesus Christ must meet ecclesiastical conditions of employment (hold and be worthy to hold a current temple recommend or, as applicable, demonstrate conduct consistent with qualifying for temple privileges) and all other conditions to continue their employment at the university. Ecclesiastical conditions of employment also include maintaining Church membership status, with no formal membership restrictions or withdrawal or resignation of membership from the Church. The ECO confirms at least annually that continuing employees are in compliance with ecclesiastical conditions of employment. The ECO indicates to the university only whether employees are cleared or not cleared ecclesiastically for continuing employment by the university.

Employees in nonstudent positions who are not members of the Church of Jesus Christ must meet university standards and all other conditions of employment to continue their employment at the university.

## Failure to Meet the Ecclesiastical Conditions of Employment or University Standards Requirements

To fulfill the university's mission, which is founded upon sincerely held religious beliefs, the university requires employees who are members of the Church of Jesus Christ to meet applicable ecclesiastical standards of employment and also requires employees who are not members of the Church of Jesus Christ to meet university standards requirements. An employee who fails to meet these requirements is subject to termination. A temporary probationary period or temporary exception may be allowed as described below and as further described in the <a href="Ecclesiastical Conditions of Employment and University Standards Procedures">Ecclesiastical Conditions of Employment and University Standards Procedures</a>.

### **Temporary Probation**

At the discretion of the university, a temporary probationary period, usually no more than three months, may be granted for an employee who has temporarily failed to meet applicable ecclesiastical conditions of employment or university standards requirements.

### **Temporary Exception**

Employees who are not granted a temporary probationary period or who do not meet applicable ecclesiastical conditions of employment or university standards requirements by the conclusion of their temporary probationary period may petition for a temporary exception to continue their employment despite not meeting applicable ecclesiastical conditions of employment or university standards requirements if they comply with all other expectations and conditions of employment.



The university, in furtherance of its sincerely held religious beliefs, will not waive its ecclesiastical conditions of employment or university standards requirements. It will neither review nor seek reconsideration of ecclesiastical leaders' determinations of ecclesiastical worthiness. However, it may, in its sole discretion, grant a temporary exception to the employee's termination. Exceptions may be granted for no more than one year and only if the employee demonstrates a compelling reason for a temporary exception. The employee has the burden of demonstrating consistent compliance with all other expectations and conditions of employment. The university makes all final decisions regarding termination of employment, including under this policy.

### **Reemployment of Terminated Employees**

An individual who has been separated from BYU employment for failing to meet applicable ecclesiastical conditions of employment or university standards requirements may become eligible for reemployment at the university when he or she once again complies with the expectations and conditions identified in this policy. Former employees who meet these eligibility requirements may apply for any open position at the university for which they are qualified, and the university will consider their applications, along with those of other candidates, subject to meeting the pre-hire requirements of this policy. Employment decisions are at the sole discretion of the university. See <a href="Faculty Hiring Policy">Faculty Hiring Policy</a> and <a href="Administrative and Staff Employment Policy">Administrative and Staff Employment Policy</a>.

APPROVED: 20 Dec 2023

**PRIOR VERSION:** N/A

**APPLICABILITY:** This policy applies to all candidates for employment, and all university

employees, in nonstudent positions.

POLICY OWNER: Academic Vice President, Administration Vice President and CFO

**RESPONSIBLE OFFICE:** Faculty Relations, Human Resource Services

**IMPLEMENTING PROCEDURES**: <u>Ecclesiastical Conditions of Employment and University</u> Standards Procedures

### **RELATED POLICIES:**

- Administrative and Staff Employee Discipline and Termination Procedures
- Administrative and Staff Employee Grievance Policy
- Administrative and Staff Employment Policy



- Church Educational System Dress and Grooming Principles and Expectations
- Church Educational System Honor Code
- Expectations of a Faculty Appointment Policy
- Faculty Discipline and Termination Policy
- Faculty Grievance Policy
- Faculty Hiring Policy
- Personnel Conduct Policy
- Staff Overtime Policy
- Supplemental Compensation for Administrative Employees Policy
- Supplemental Compensation for Faculty Policy