

Policy

Board of Education Woodbridge Township

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#301 CREATING A POSITION

The Board recognizes the need to establish positions which, when filled by competent, qualified staff, will assist the district in achieving the educational goals set by the Board.

The Board reserves the right to:

- A. Create new positions and provide each with a job description clearly descriptive of the duties for which the position was created and provide each with a title that conforms with the appropriate certificate insofar as possible;
- B. Specify the number of persons within each job category;
- C. Set the initial salary for a new position not named in a negotiated agreement.

In the exercise of its authority to create new positions, the Board shall give primary consideration to the number of students enrolled.

Reference: 18A:16-1, 28-1

Date adopted: 12/21/78

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#302 ABOLISHING A POSITION

It is the responsibility of the Board to provide the staff necessary for the implementation of the educational program of the district and the operation of the schools and to do so efficiently and economically.

The Board reserves the right to abolish positions in the district and to reduce district staff commensurately whenever reasons of economy, reorganization of the school district, reduction in the number of pupils, or other good cause warrants such action.

The Superintendent shall develop rules for the reduction of staff which comport with statute, rules of the State Board, and applicable case law and which ensure the following:

- A. The efficiency and effectiveness of district organization and staff patterns shall be under continuing review and recommendations for eliminating, creating, and reallocating duties and positions shall be presented for Board consideration when the Superintendent considers such actions to be in the best interest of the district.
- B. No person shall be employed by this Board to perform duties for which he/she is not properly certificated.
- C. Date necessary for the computation of each teaching staff member's seniority status shall be promptly and accurately recorded and maintained.
- D. Standards shall be established for the reemployment of one non-tenured teaching staff member over another when one or more must be non-renewed as a result of reduction in staff. Such standards shall be based upon employee competence in the district.

Standards shall be established for the selection of one tenured teaching staff member over another when, as a result of a reduction in force, two or more members are qualified to fill a position and have identical claims to it. Such standards shall be based on employee competence in the district.

When, as a result of the abolishment of a position, it is necessary to reduce an employee's grade, said employee shall be entitled only to the salary of the reassigned position.

Reference: 18A:28-1, 28-9 et seq.; N.J.A.C. 6:3-1.10

Date adopted: 12/21/78

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#303 EMPLOYMENT OF SUPERINTENDENT

The Board vests the primary responsibility for the administration of this district in the Superintendent of Schools. Appointment of that officer is, therefore, one of the most important functions this Board can perform.

Whenever that position shall be vacant, the Board shall appoint a Superintendent of Schools and fix the salary and term of office. The Superintendent so appointed shall devote him/herself exclusively to the duties of the office. (18A:17-18)

The Board shall actively seek the best qualified and most capable candidate for the position of Chief School Officer of this district. Recruitment procedures shall be prepared in advance of the search and shall include the following:

- A. The preparation of a written job specification for the position of Superintendent.
- B. Preparation of written specifications and qualifications, in addition to proper state certification sought in all applicants.
- C. Preparation of informative material describing this school district and its educational goals.
- D. Where feasible, the opportunity for applicants to visit the school(s) of the district.
- E. The requirement that each serious candidate for the position be interviewed by the Board members in a format that encourages the candidate to express an educational philosophy.
- F. Solicitation of applications from a wide geographical area.
- G. Consideration of all applicants fairly without discrimination on the basis of race, sex, age, religion, ethnic background, or other condition unrelated to the position of Superintendent.

No person may be employed as Superintendent of this district unless he/she has signed an employment contract with the Board. Such contract shall include the term for which employment is contracted, including beginning and ending dates, the salary which the Superintendent shall be paid and the intervals at which it shall be paid, the benefits to which the Superintendent is entitled, and a provision for the termination of the contract on at least 12 months written notice duly given by its parties.

Any candidate's misstatement of fact relative to qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

Each candidate for the position of Superintendent shall be required to pass a physical examination reasonably related to the duties he/she will be required to perform, the cost of which shall be borne by the district.

Reference: 18A:17-15 et seq.

Date adopted: 12/21/78

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#304 SELECTION OF ADMINISTRATIVE PERSONNEL

The goals of the district state that "The Woodbridge Township School District should provide a competent staff and a system that maintains high levels of skills and performance."

A major factor in maintaining a high level of performance on the part of the district employees is effective supervision. Therefore, the process for securing administrative personnel must be designed to insure the greatest possible chance of securing the most qualified individual for each position and doing so in such a way as to indicate support and confidence in the person hired. No action shall be taken in the selection of certificated personnel for supervisory or administrative positions until notice has been posted in all of the schools of the Township setting forth the duties of the position to be created or vacancy to be filled. To insure this level of competence and confidence, the Superintendent shall prepare guidelines for the selection of administrative personnel by means of an interviewing committee, and members of the Board of Education shall have the right to submit written questions to be asked by members of the interviewing committee.

After all members of the administrative interviewing committee have completed questioning the candidate, any Board member present at the interviews may ask questions of the candidate prior to the interviewing process beginning for the next candidate being interviewed by the administration. At the completion of the interviewing process the interviewing committee will arrive at a decision concerning a candidate to be recommended to the Superintendent of Schools.

The Personnel Committee of the Board of Education, at its discretion, may choose to interview the recommended candidate of the Superintendent of Schools for the positions of Vice Principal and Principal, Director, or Assistant Superintendent of Schools before the full Board of Education is required to vote on the recommendation.

A vote of the full Board of Education shall be taken on the candidate recommended by the Superintendent. If the first candidate is not acceptable to the Board, candidates recommended by the interviewing committee and approved by the Superintendent in successive order shall be voted on by the Board of Education. If no candidate is acceptable to the Board of Education, the interviewing process as described in Regulation #3040 shall be repeated.

Since it is the district's desire to have the best possible pool of candidates for each position and since inservice professional growth activity should be related to the specific needs of the employee, individuals working for the district who applied for and were not considered successful candidates by the personnel interviewing committee shall receive, if requested, an explanation of the areas that appear to need improvement.

Reference: 18A:6-5, 6-6, 17-15, 27-1, 27-4, 58-16; N.J.A.C. 6:8-4.5

Date adopted: 12/21/78

Date revised 9/21/89

Policy

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#305 SELECTION OF NON-ADMINISTRATIVE PERSONNEL

- A. The Superintendent shall recommend to the Personnel Committee of the Board of Education for appointment of continuous employment all certified and non-certified employees of the district, with the exception of the Treasurer of School Monies, Election Officer, Board Auditor, and Board Attorney.
 - B. If the Personnel Committee of the Board of Education disapproves a nomination, it shall so state to the full Board, but the Superintendent shall have the right to recommend said candidate to the Board.
 - C. If the Board of Education disapproves a nomination, it shall be the duty of the Superintendent to nominate other qualified candidates until a selection is made.
 - D. It shall be the duty of the Superintendent to nominate only those candidates who are appropriately certified and licensed as required by law and regulation, and by the Board for the position for which the nomination is made.
 - E. Certificated employees shall be given a period of ten school days from the posting of such notice to file an application with the Superintendent setting forth their qualifications and proof of eligibility for the position to be filled. Such notification shall not restrict appointments to personnel employed by the district nor shall it prohibit the appointment of a candidate whose application was filed prior to, or subsequent to, the posting of said notice.
 - F. In a similar manner, all vacancies in the special subject areas shall be advertised throughout the school system before appointments are made. A special subject area teacher shall be considered as one who is not assigned to a specific school.
 - G. Any employee's misstatement of fact material to qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.
 - H. The employment of teaching staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Retroactive employment shall be recommended to the Board at the next regular meeting.
 - I. Wherever possible, positions shall be filled by holders of standard certificates. Only when, after due diligence, a worthy candidate holding standard certification cannot be found, the Board may employ the holder of a substandard temporary, provisional, or emergency certificate.
 - J. No candidate for employment, as teaching staff member, shall receive recommendation for such employment without having preferred visual evidence of his/her certification or pending application for certification.
 - K. The Superintendent of Schools will ensure that the inservice training needs for professional and paraprofessional staff who provide special education, general education or related services are identified and that appropriate inservice training is provided as required by law.
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Reference: 18A:6-5, 6-6, 27-1, 27-4, 58-16; N.J.A.C. 6:8-4.3

Date adopted: 4/18/73

Dates revised: 10/08/87, 9/21/89, 1/27/00

Policy

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#306 EMPLOYMENT OF SUBSTITUTE TEACHERS

The Board recognizes its responsibility to procure the services of substitute teachers in order to prevent the impermissible abatement of the operation of the schools as a result of the absence of regular personnel.

The Board shall approve annually the names of potential substitute personnel, except that additional names may be duly added to the list of substitute teachers by the Board during the school year.

Certified substitutes must possess a valid New Jersey teaching certificate or a substitute teaching certificate issued by the County Superintendent. Preference will be given to certificated teachers. Substitute teachers shall have complied with the state required tuberculosis examination and completed successfully the district health examination.

The Superintendent may select from the approved list substitutes to work temporarily on a day-to-day basis in the place of an absent teacher who has an entitlement to a regular position approved by the Board. Any such substitute employee shall be entitled only to the wages approved by the Board on a per diem basis and to no benefits.

The employment of substitute teachers prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Retroactive approval shall be recommended to the Board at the next regular meeting. This procedure shall be used only when regular means are not possible.

The substitute shall follow the daily plan provided by the regular teacher and, when such plan is exhausted, shall so report to the principal or department head who shall assist him/her to prepare further plans.

The Superintendent shall recruit, screen, and recommend to the Board candidates for substitute employment, and shall:

- A. Develop procedures for the assignment of substitutes;
- B. Develop methods of evaluating substitute teachers and recommend the retention on the Board's approved substitute list of only those substitutes who have performed their duties satisfactorily;
- C. Prepare a handbook for distribution to all approved substitutes informing them of their pay rate, status as employees, schedule of work, and such other matters as will enable them to perform their duties to the best of their ability.

Reference: 18A:29-16, 30-6, 66-2(p), 66-14; 34:11-24.1; N.J.A.C. 6:8-4.3(e)

Date adopted: 12/21/78

Policy

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#308 STUDENT TEACHERS / FIELD EXPERIENCE

The Board encourages cooperation with the state colleges and universities in the training of student teachers because the public school offers an essential ingredient - direct experience with pupils and teachers at work in the classroom. Therefore, the schools of this district will accept students from accredited institutions of higher learning for field experiences.

The Board delegates the authority to select student teachers to the Director of Personnel Services.

Student teachers while serving in the schools of this district shall be responsible for their conduct to the building principal and for their performance to the supervising teacher, building principal, and department chairperson where applicable.

The Director of Personnel Services shall insure the assignment of student teachers throughout the district and the assurance that no single group of pupils will be subject to excessive student teacher classroom hours. No student teacher for senior field experience shall be assigned to a non-tenured teacher.

Students or other affiliates of educational institutions shall be offered the opportunity to visit and observe in our schools in pursuit of teacher training and educational research projects. However, such students must be treated as any other visitor and shall be under the direct supervision of the principal.

Reference: N.J.A.C. 6:11-3.21, 29-4.2

Date adopted: 12/21/78

Date revised: 11/15/07

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#309 EMPLOYMENT CONTRACT

In accordance with law and for the mutual protection of the district and employee, every teaching staff member who has not achieved tenure shall be required annually to sign an employment contract if offered employment.

Each employment contract shall include:

- A. The term for which employment is contracted, including beginning and ending dates;
- B. The kind and grade of certificate held by the employee and the date upon which the certificate will expire, if any;
- C. The salary at which the person is employed;
- D. The intervals at which salary shall be paid;
- E. A provision for the termination of contract on notice, duly given by its parties, of 60 days;
- F. Such other matters as may be necessary to a full and complete understanding of the contract.

Should an employee be offered in error a contract for a salary which differs from that approved by the Board, the salary approved by the Board shall be the salary paid.

Reference: 18A:27-4 et seq.

Date adopted: 12/21/78

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#310 EVALUATION OF THE SUPERINTENDENT

The Board of Education recognizes that evaluation of the Superintendent is essential to the achievement of the educational goals of the district. In order to insure the greatest benefit to the district from this program of evaluation, it shall be a continuous, constructive, and cooperative experience between the Superintendent and the Board of Education, all intended to improve the management of the district so that it can provide appropriate learning experiences for students.

The purpose of the annual evaluation shall be to provide a basis for the review of the performance of the Superintendent so that the review promotes professional excellence, improves the skill of the Superintendent, and improves the quality of education received by the students of the district.

The evaluation shall be based upon a job description and evaluative criteria which are based upon the district's goals, program objectives, policies, and instructional priorities, as well as state goals, statutory requirements, and other functions, duties, and responsibilities of the Superintendent assigned by the Board of Education, and be mutually developed by the Superintendent and the Board of Education. Changes in priorities should be shared in writing.

Data which will be used as the basis for the evaluation shall be collected by many means which include, but are not necessarily limited to:

- A. The Superintendent's own self analysis;
- B. The recommendations of district administrators;
- C. The compilation of assessments on a prepared standard form;
- D. Interviews between the Board of Education and the Superintendent during which no other business is discussed;
- E. A decision analysis of Board/Superintendent powers.

The Board of Education shall prepare an annual written performance report in which a majority of the full Board will have participated, and hold an annual summary conference between the Board of Education, including a majority of the total membership and the Superintendent.

As a result of this conference, the Superintendent and the Board of Education shall mutually develop and prepare a plan for professional growth and development based in part on any needs identified in the evaluation.

Nothing in this policy shall preclude the Board of Education, at its discretion, from hiring a qualified consultant to assist or advise in the evaluation process. However, the evaluation itself is the responsibility of the Board of Education.

The Superintendent shall be given a copy of this policy upon its adoption. Amendments to the policy shall be shared with the Superintendent within ten work days after adoption.

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Regulations specifying details of this process shall be developed in accordance with both this policy and appropriate rules and regulations of the State Board of Education.

Date adopted: 12/20/78

Date revised: 8/21/80

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#311 EVALUATION OF ADMINISTRATIVE PERSONNEL

The continuing evaluation of administrative staff members is necessary to enable the Board to monitor the effectiveness and competence of such staff members and to assist them in the improvement of their professional performance.

For purposes of this policy, "administrative staff members" shall include personnel holding the following positions: Business Administrator/Board Secretary, Board Attorney, Custodian of School Monies, Superintendent, Associate Superintendent, Assistant Superintendent, Directors, and all positions covered by the Woodbridge Township Administrators Association.

The Board directs that evaluations of all tenured administrative personnel be performed at least once annually and non-tenured personnel at least three times annually.

Reference: 18A:27-3.1, -3.3

Date adopted: 12/21/78

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#312 PHYSICAL EXAMINATION

In order to certify the fitness of employees to discharge efficiently the duties which they are required to perform and to protect their health, the health of students and other employees, the Board of Education requires certain physical examinations be conducted on all full-time and part-time employees, substitutes and candidates for employment as a condition of employment. Candidates for employment who fail the physical or whose results determine that they are unable to perform the essential function of the job category will not be employed.

For purposes of this policy a "physical examination" shall mean the assessment of an individual's health and may include, but not be limited to, a health history, health screening, and medical evaluation by a physician licensed to practice medicine.

The Board may require individual psychiatric or physical examinations of any employee, whenever, in the judgment of the Board, an employee shows evidence of deviation from normal, physical or mental health. Any such examination may include laboratory tests or fluoroscopic or X-ray procedures for the obtaining of additional diagnostic data. All examinations made by a physician or institution designated by the Board shall be borne by the Board. However, if the physical examination is performed by a physician or institution of the employee's choosing with the approval of the Board, the cost associated with such an examination shall be borne by the employee.

Board employees, candidates for employment and substitutes must comply with the requirements of this policy within a time frame designated by the Superintendent or his/her designee. The results of all required medical examinations shall be the property of the Board and shall be filed in the employee's confidential medical file and maintained by the Board's Office of Personnel Services as confidential information but shall be open for inspection by the employee.

Reference: 18A:16-2 et seq.; 34:11-24.1; N.J.A.C. 6A:32.6.1 et seq.

Date adopted: 12/21/78

Dates revised: 10/18/90, 6/12/08

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#313 SUSPENDING AN EMPLOYEE FOR REASONS OF HEALTH

It is the policy of the Board to protect the school children of this district from the influence of unfit teachers by providing a physically and mentally qualified staff.

The Board reserves the right to place an employee on sick leave or retire an employee for physical or mental disability to perform assigned duties.

In the case of a certified staff member who, in the opinion of the Superintendent, is unfit to teach in this district or in any public school of the state by reason of physical or mental condition, the following procedure shall be followed:

- A. The Superintendent shall present to the Board the grounds for questioning the physical or mental condition of the employee. The Board may transfer the employee upon the recommendation of the Superintendent and in accordance with the policy of the Board.
- B. When the Board determines that the grounds given constitute sufficient cause to order an examination of the employee, it shall give the employee written notice, in ordinary and concise language, of their finding of sufficiency, a full statement of the grounds, and an opportunity to appear before the Board within 10 days to explain or refute the grounds.
- C. When an employee requests a hearing, it shall be conducted in accordance with the following rules:
 1. The employee may be represented by counsel or an individual of the employee's own choice.
 2. The employee may present witnesses on his/her behalf.
 3. Witnesses need not present testimony under oath and will not be subject to cross-examination.
 4. Witnesses will be called individually and excused after making their statements.
 5. The hearing will be privately held unless the employee requests a public hearing.

The Board does not consider a hearing for reasons of health to be an adversary hearing; rather the staff member is provided an opportunity to convince the Board that it made an incorrect determination by requesting said examination. The Board shall notify the employee in writing of the outcome of the hearing.

- D. When an employee fails to so persuade the Board or fails to request an appearance before the Board within the time allowed, the Board shall order the employee to submit to an appropriate examination by a physician designated and recompensed by the Board, or by a physician or institution of the employee's choice and at the employee's expense.
 - E. Where the physician designated by the Board disagrees with the physician designated by the employee, the Board and employee shall agree in good faith on a third impartial physician who shall examine the employee and whose medical opinion shall be conclusive and binding
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on the issue of medical capacity to perform assigned duties. The expense of a third examination shall be borne by the Board.

- F. If, as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on sick leave with such compensation to which he/she is entitled until proof of recovery, satisfactory to the Board, is furnished.
- G. Should an employee refuse to submit to the examination requested by the Board and the employee has exercised his/her rights under the provisions herein above set forth, such refusal shall subject the employee to disciplinary action which action may include the preferring of formal charges before the Commissioner of Education.

Reference: 18A:6-10, 16-2 et seq, 25-6, 25-7, 28-5, 30-1 et seq

Date adopted: 12/21/78

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#314 STAFF INFRACTIONS

In the event of an infraction of district rules by a certificated employee, it shall be the policy of the Board to apply the statutes of the state, these policies and the regulations of the district with equal consideration to each staff member.

The Superintendent shall prepare disciplinary rules for situations most often encountered which provide for progressive penalties including, where appropriate, verbal warning, written warning, suspension, withholding an increment, or dismissal.

Reference: 18A:27-4

Date adopted: 12/21/78

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#315 EMPLOYEE ATTENDANCE

Employee attendance is an important factor in the successful operation of any school district and the continuity of the educational program. The Board of Education is vitally and continually interested in the attendance of each employee and considers satisfactory attendance a most important job requirement.

Employment carries with it the personal responsibility of each employee to be on the job on time, every scheduled work day. This responsibility includes maintaining good health standards, taking reasonable precautions against accidents, both on and off the job, and managing personal affairs so that the attendance requirements can be met effectively.

The Board is concerned about the high cost and disrupted work schedules caused by employee absences. Therefore, the Board of Education directs the administration to develop administrative procedures necessary to implement the intent of this policy.

Reference: 18A:11-1, 27-4, 28-5, 30-6

Date adopted: 12/16/74

Dates revised: 10/11/77, 12/21/78, 6/12/08

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#316 TERMINATION OR RESIGNATION

Each employee under contract in this district shall have agreed to a mutually satisfactory termination clause. It is the purpose of the Board to respect that clause and it is the expectation of the Board that the employee will do likewise.

The Board may terminate teaching staff members not under tenure in keeping with the termination clause for any of the following conditions:

- A. Request by the teacher for reasons accepted as valid and in the best interest of both the employer and the employee.
- B. By mutual agreement of both employee and employer that termination of the contract is best for the school system.
- C. By direct request from the employer.

Should the employee terminate on request of the Board, the employee may be terminated immediately and paid for the period of notice.

Any teaching staff member, under tenure of service, desiring to relinquish his/her position shall give the employing Board of Education at least 60 days written notice of his/her intention, unless the Board shall approve of a release on shorter notice, and if he/she fails to give such notice he/she shall be deemed guilty of unprofessional conduct and the Commissioner may suspend his/her certificate for not more than one year.

Reference: 18A:27-9, 28-8

Date adopted: 12/21/78

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#317 INEFFICIENCY OF A TENURED STAFF MEMBER

It is the duty of the Board to protect the pupils of this district from the classroom influence of inefficient teachers. For purposes of this policy the Board defines inefficiency as activity unproductive of desired results by reason of the wasteful use of time or energy through carelessness or ineffectiveness. Incompetency is defined as the inability to perform assigned duties.

For a tenured teaching staff member of this system to be charged by the Board with inefficiency, the following conditions must be demonstrated by the Superintendent:

- A. The teacher was aware of the results expected at the start of the assignment;
- B. The teacher was found to be wanting by teaching staff members qualified to perform evaluations using generally endorsed professional methods;
- C. The teacher was given written notice by the Superintendent upon order of the Board of the alleged inefficiency, specifying the nature thereto with such particulars as to furnish him/her an opportunity to correct and overcome the same;
- D. The teacher was found, at least ninety 90 days after being given notice (but less than 135 days), still to be inefficient in the performance of his/her duties.

Upon the demonstration of the preceding conditions by the Superintendent and following the determination by the Board in accordance with statute that "...there is probable cause to credit the evidence in support of the charge, and whether such charge, if credited, is sufficient to warrant a dismissal or reduction in salary..." the Board shall certify the charges of inefficiency to the Commissioner. (18A:6-11)

The Superintendent shall prepare regulations for the implementation of this policy.

Reference: 18A:6-10 et seq.

Date adopted: 12/21/78

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#318 UNBECOMING CONDUCT AND DUTY TO REPORT ARREST OR INDICTMENT

A. Unbecoming Conduct of a Tenured Staff Member

1. When an employee by his/her own acts or failure, either within the schools or outside normal duties, creates conditions under which the proper operation of the schools is affected, the Board, upon recommendation of the Superintendent and in accordance with statute, shall determine whether such acts or failures constitute conduct unbecoming a school employee and, if so, will proceed against the employee in accordance with statute.
2. Unbecoming conduct sufficient to warrant Board review hereunder may result from a single flagrant incident or from a series of incidents. In either case, the Board will certify charges when "...there is probable cause to credit the evidence in support of such charge, and... such charge if credited, is sufficient to warrant a dismissal or reduction of salary."
3. The Superintendent shall instruct all administrators to report to the Superintendent forthwith any conduct or condition of an employee under their supervision which tends to substantially and materially interfere with the performance of the affected employee's duties.

B. Duty of All Employees to Report an Arrest or Indictment

Any employee (whether or not tenured) who has been arrested or indicted for any offense or crime in any jurisdiction must report his or her arrest or indictment and the nature of the charges to the Superintendent within 14 calendar days of the arrest or indictment. Thereafter, the employee may be suspended with or without pay in accordance with the law. Each such employee shall report the disposition of any charges to the Superintendent within 7 days of disposition. Failure to report an arrest or indictment within the requisite timeframe may be the basis for disciplinary action and may be deemed "just cause" for the revocation or suspension of the employee's certificate under N.J.A.C. 6A:9-17.5.

Date adopted: 12/21/78
Date revised: 3/16/06, 4/29/09

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#319 CORPORAL PUNISHMENT

The Board cannot condone the use of force and/or fear by a teaching staff member in dealing with pupils, even those whose recalcitrance appears to be open defiance. Each student in this school district has a right not only to freedom from bodily harm, but also freedom from offensive bodily touching such as pushing, poking, restraining, etc., even though there is no actual physical harm.

Teaching staff members should not find it necessary to resort to physical force or violence to maintain discipline or compel obedience, except where an immediate danger exists to person(s) or property as defined in the statutes. If all other means fail, staff members may recommend the removal of the pupil from the classroom or school through suspension or expulsion procedures.

When any teaching staff member resorts to unnecessary or inappropriate physical contact with a pupil, he/she must expect to face charges by this Board.

The Superintendent shall prefer corporal punishment charges against any teaching staff member who:

- A. Uses force or fear to discipline a pupil unless it is necessary to:
 - 1. quell a disturbance threatening physical injury to others;
 - 2. obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil;
 - 3. act in self-defense; or
 - 4. protect person(s) or property;
- B. Touches a pupil in an offensive rather than a defensive manner even though no physical harm is intended;
- C. Permits pupils to harm one another by fighting;
- D. Punishes pupils by means which are cruel or unusual.

Reference: 18A:6-1, 25-5, 37-1

Date adopted: 12/21/78

Date revised: 3/18/82

Policy

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#320 OUTSIDE ACTIVITIES OF STAFF

The Board recognizes that members of the staff must enjoy private lives and may associate with others outside of school for political, economic, religious, cultural, or personal reasons. The Board and its supervisory staff, however, have a responsibility to evaluate staff members in terms of their faithfulness to, and effectiveness in, discharging school duties and responsibilities. Therefore, when non-school activities threaten a staff member's effectiveness within the school system, the Board reserves the right to evaluate the impact of such activities upon a teacher's responsibilities to the students and to the Board.

The Board directs the Superintendent to prepare guidelines so that staff members may avoid situations in which their personal interests, activities, and associations may conflict with the interests of the district.

Reference: 18A:6-10, 14-72, 42-4

Date adopted: 12/21/78

Policy

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#321 FREEDOM OF SPEECH IN NON-INSTRUCTIONAL SETTINGS

The Board of Education acknowledges the right of its employees, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the school system, however, the employee's expression must be balanced against the interests of the district.

Date adopted: 12/21/78

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Board of Education Woodbridge Township

#322 POLITICAL ACTIVITIES OF STAFF

The Board of Education recognizes and encourages the right of its employees, as citizens, to engage in political activity. However, the Board also recognizes that school property and school time, paid for by all the people, may not be used for political purposes.

The Board adopts the following guidelines for those staff members who intend to engage in political activities:

- A. No employee shall engage in political activities upon property under the jurisdiction of the Board of Education during school hours.
- B. Political circulars or petitions may not be posted or distributed in school, except that this shall not preclude any distribution of union material in facilities as per the negotiated agreement.
- C. The collection of and/or the solicitation for campaign funds or campaign workers is prohibited on school property.
- D. The use of pupils for writing or addressing political materials, or the distribution of such materials to pupils is forbidden by law.
- E. When working in a facility of this district used as a polling place on an officially declared election day, do not display any materials that would promote the candidacy of any candidate.
- F. Board employees who hold elective or appointive office, other than state legislator or County freeholder (as provided in statute), are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the currently valid negotiated agreement of the Board. Employees who absent themselves from assigned duties without permission may be deemed insubordinate and penalized accordingly.

The following situations are exempt from the prohibitions of this policy:

- A. The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies, such as history, current events, and political science.
- B. The conduct of student elections and campaigning connected therewith.
- C. The conduct of employee representative elections.

Violation of any of the foregoing rules shall, at the discretion of the Board, constitute cause for reprimand, penalty, or dismissal.

Reference: 11:17-2; 18A:6-8.1, 6-8.2, 6-8.4, 14-72, 42-4; 19:34-42

Date adopted: 12/21/78

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Board of Education Woodbridge Township

#323 ACCEPTANCE OF GIFTS

No school employee is to accept any commission, gift, or anything of value from individuals, groups, or companies supplying or seeking to supply materials or services required in the operation of the Woodbridge Township schools. The operation of the schools includes materials for the construction, repair, and maintenance of the school plant, for materials and supplies needed to conduct instruction, for materials and supplies used in school organizations such as clubs, senior class, etc., and for certified and non-certified consulting services.

The Board considers the presentation of gifts to staff members by pupils and their parents an undesirable practice, because it tends to embarrass pupils with limited means and gives the appearance of currying favor. Based on the foregoing premise, it is the policy of the Board that staff members discourage gifts from students or parents, and staff members instruct their students to express their feelings in letters rather than gifts.

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#324 WITHHOLDING AN INCREMENT/ADJUSTMENT

Any advancement on a salary guide, including annual increments and raises, shall not be considered automatic. Advancement on any such guide shall require favorable reports covering the employee's competence and thoroughness in the performance of assigned duties, his/her record of attendance, and his/her compliance with district regulations.

The final determination to withhold an increment or adjustment shall be made by the Board which may choose to freeze an employee's wages for one year or to hold an employee at the same vertical step on the guide.

The amount of the increment/adjustment which was withheld does not constitute an inequity in salary. It is not expected to be paid as an adjustment in any future years.

The Board shall, within 10 days of withholding an increment or adjustment, give written notice of such action, together with the reasons therefore, to the employee concerned.

Reference: 18A:29-8, 29-14

Date adopted: 12/21/78

Policy

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#325 LIABILITY OF STAFF FOR STUDENT WELFARE

Teaching staff members, because of their proximity to children, are frequently confronted with situations which, if handled incorrectly, could result in liability to the district and personal liability to the staff member. It is the purpose of this policy to direct the preparation of guidelines that would minimize that possibility.

It is the responsibility of the Superintendent to prepare regulations to insure the maintenance of the following standards by teaching staff members. Each teaching staff member:

- A. Must maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities;
- B. Should not voluntarily assume responsibility for duties he/she cannot reasonably perform; such assumption carries the same responsibilities as assigned duties;
- C. Must provide instruction in the safety matters presented in assigned curriculum guides;
- D. Must immediately report to the principal an accident or a safety hazard he/she detects;
- E. Must not send students on any personal errands;
- F. Must not transport students in a personal vehicle without the approval of the principal;
- G. Shall not require a pupil to perform work or services that may be detrimental to his/her health;
- H. Must report to the principal immediately any sign of suspected child abuse or drug abuse, pursuant to the laws of the state.

Reference: 9:6-8; 59:1.1 et seq.; N.J.A.C. 6:43-1.2e, j

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#326 ALCOHOL AND DRUG-FREE WORKPLACE

A. Purpose:

The Woodbridge Township Board of Education (hereinafter referred to as the Board), subscribes to the belief that the abuse of alcohol and/or drugs by Board employees is incompatible with the Board's obligation to seek to provide a safe and productive work environment and its responsibility to its student body and the public to ensure their safety and trust in the Board. The Board further believes that healthy, drug-free employees are a greater asset to the Board, to society and to themselves. Accordingly, the Board hereby establishes the following policies and procedures for all Board employees. (The Board, in prior policy, has addressed appropriate student behavior regarding the possession, use and distribution of alcohol and illegal drugs.)

This policy is intended to incorporate the applicable provisions of the numerous State and Federal statutes/regulations as well as cases dealing with drug and alcohol use and testing in the workplace. To the extent that the provisions of this policy conflict with any of those detailed State or Federal statutes/regulations or cases, the terms of those statutes/regulations or cases shall control.

B. Authority:

This policy is intended to comply with all applicable federal and state statutes and regulations governing workplace anti-drug and drug testing, including, but not limited to the following:

1. 49 CFR, Part 40: Procedures for Transportation Workplace Drug Testing Programs.
2. 49 CFR, Part 391: Subpart H, Controlled Substances Testing, Covering Federal Highway Administration (FHWA) and controlled drivers.
3. 49 CFR, Part 394: Notification and Reporting of Accidents.

C. Drug and Alcohol Program Manager:

The Business Administrator/Board Secretary has been designated by the Board as the Drug and Alcohol Program Manager ("DAPM") to oversee the alcohol and Drug-Free Workplace Program. The DAPM will be responsible for guarding the employees' right to privacy. The DAPM will ensure that the program, including testing, training, record keeping and reporting is in strict compliance with federal regulations.

D. Board Policy:

1. The philosophy of the Board indicates that we believe it is the Board's responsibility to create an environment for learning. Within that environment, it is important that all staff members, (whether certified or non-certified) connected with the Board observe all laws and set an example for student behavior.
 2. The abuse of drugs or alcohol undermines this philosophy and will not be tolerated by the Board. NOTE: In this policy, the terms "abuse and substance abuse" will be used to mean the use or abuse of or dependency on illegal drugs, alcohol, or drugs that can be prescribed but are used in a manner inconsistent with the prescription.
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3. At the onset, it should be clearly understood that the Board, consistent with the alcohol and drug-free workplace program, recognizes that addiction is a treatable illness and encourages any employee experiencing difficulty with the use of alcohol and/or drugs to seek counseling through the Board's Employee Assistance Program or private counseling. The Board will provide individuals with an addiction problem, a reasonable accommodation to the extent required under applicable law. For the purpose of this policy "work place" shall include any school building or any school property and school-owned vehicles or any other school approved vehicle used to transport students to and from school or school activities. Work place also includes off school property during any school sponsored or school approved activity, event or function such as a field trip or athletic event where students are under the jurisdiction of the Board. It is the policy of the Board that all Board employees shall not consume alcoholic beverages or use illegal drugs on or off school premises during their scheduled work day.
 4. Any Board employee reporting for work and found to be under the influence of alcohol or drugs or using illegal drugs or alcohol or abusing prescription drugs while at work, or in possession of, manufacture of, selling, offering for sale, trading, or providing illegal drugs or alcohol will be subject to disciplinary action up to and including termination. **The Administration shall recommend to the Board automatic suspension and termination for all Commercial Drivers License ("CDL") holders who refuse testing or whose test is ultimately determined to be positive under this policy. Any such action is subject to the grievance procedure.** This policy is in effect for all employees while on Board property, to include the parking lots, or while engaged in Board business.
 5. In an effort to ensure that the Woodbridge Township School District is an "Alcohol and Drug Free Workplace" and to comply with United States Department of Transportation ("DOT") Regulations, a drug testing program will be in effect for all Board employees. This program will provide for reasonable suspicion testing, return to duty testing, and follow-up testing for all Board employees in addition to pre-employment testing, random testing and post-accident testing for all CDL holders. The Board has retained National Safety Compliance, (hereinafter referred to as the Agent), to manage and administer the testing program.
 6. Any employee who reports for work impaired is unable to properly perform required duties and will not be allowed to work. Upon visual observation of such impairment, the employee's supervisor will consult privately with the employee about said observation. If, in the opinion of the supervisor, the employee is considered impaired, the employee will be required to be tested for alcohol and illicit substances, depending on the supervisory determination of the observed impairment. Under no circumstances should an impaired employee be allowed to drive.
 7. Prescription drugs prescribed by the employee's physician may be taken during working hours. The abuse of prescription drugs will not be tolerated.
- E. Pre-Employment Testing:
1. Pursuant to Board Policy 312 and 406, as well as N.J.S.A. 18A:16-2 and 49 CFR §382.601(b)(5), all prospective employees applying for a position may be required to
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undergo a pre-employment test for the presence of alcohol and illicit drugs. When such a test is required, receipt by the Board of a negative test result is required prior to any offer of employment. A positive test result will disqualify an applicant from further consideration at that time.

2. Failure to keep an appointment with the Agent, which was previously agreed to by both the prospective employee and the Agent, will be viewed as an attempt to elude the testing or alter its results. No further consideration for employment will be given the prospective employee at that time.

F. Random Testing:

1. All employees who have a CDL will be subject to random, unannounced alcohol and drug testing. Testing will be done during working hours. The Board shall be responsible for the costs of the tests. Selection criteria, numbers of tests and test frequency will be determined by the language of Federal Highway Administration ("FHWA") regulations and will be communicated to employees prior to testing by Board management or Agent.
2. Upon notification of selection, the employee will report to the designated collection site immediately. Failure to report will be viewed as an attempt to elude the test or alter its results and could result in disciplinary action up to and including termination. **The Administration shall recommend to the Board automatic suspension and termination for all CDL holders who refuse testing or whose test is ultimately determined to be positive under this policy. Any such action is subject to the grievance procedure.**

G. Reasonable Suspicion Testing:

1. Pursuant to this policy, when any employee is suspected of being under the influence of alcohol and/or drugs at a school-related function, whether on or off school property, such employee will be subject to a fitness for duty evaluation, to include urine and breath testing. A reasonable suspicion referral for testing will be made on the basis of documented, objective facts and circumstances which are consistent with the long and short term effects of substance abuse.

Examples of reasonable suspicion include, but are not limited to, the following:

- a. Physical signs and symptoms consistent with substance or alcohol abuse.
 - b. Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, alcohol or drugs.
2. Reasonable suspicion testing determinations will be made by a District Administrator and/or a Department Supervisor who is trained to detect the signs and symptoms of drug and alcohol use and who can reasonably conclude that an employee may be adversely affected or impaired in his/her work performance due to substance abuse. At no time will this determination be made on the basis of third-party reports without verification.
 3. The supervisor or Board official who makes observations leading to a reasonable suspicion test shall make a written record of his/her observations within 24 hours of the
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observed behavior or before the results of the drug test are released, whichever is earlier.

NOTE: Employees are cautioned that various over-the-counter and prescribed medication can adversely affect ability to operate vehicles and other equipment. It is the employee's responsibility to report to work each day fit for his or her duties.

4. Employees who are deemed to require a fitness for duty evaluation based on reasonable suspicion will be sent to a health facility of the Board's choice. The attending physician will make every attempt to determine the cause of the observed behavior including authorizing, when his/her medical opinion dictates, an alcohol or drug test. Employees will be placed on a leave of absence until the results of the examination are received by the Board. Any available sick or personal days will be utilized first when such a leave is required. Receipt of a negative drug and/or alcohol test result and/or doctor's statement that the employee was and is fit for duty is required prior to continued employment. If the employee tests negative for drug and/or alcohol, the employee's leave time will be retroactively converted to paid leave and all personal days utilized for said leave will be restored to the employee.
5. Employees who are medically determined to be temporarily unfit to perform their duties, but who test negatively for alcohol or drugs, will be returned to duty when they obtain the original examining doctor's written statement that they are fit for duty. Under such circumstances, the employee may utilize his/her accumulated sick days until he/she is fit for duty.

H. Post-Accident Testing:

1. All employees who have a CDL and are involved in an accident will be required to submit to a post-accident alcohol and drug test if:
 - a. The driver involved in an accident received a citation for a moving violation,
 - b. There is a fatality as a result of an accident,
 - c. The accident meets the DOT criteria for an accident that requires such testing.
 2. When a post-accident test is indicated, the Board will make every effort to have said test performed within two (2) hours of notification of the accident. At no time will a period of more than eight hours transpire between notification and testing. Documentation of the entire post-accident procedure should be made by all personnel involved in the notification and testing process.
 3. Receipt by the Board of a negative alcohol and drug test result is required prior to return to duty. **The Administration shall recommend to the Board automatic suspension and termination for all CDL holders who refuse testing or whose test is ultimately determined to be positive under this policy. Any such action is subject to the grievance procedure.**
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I. Return to Duty Testing / Employees Who Test Positive:

1. Pursuant to this policy, any employee who tests positive for alcohol or illicit substances will not be permitted to return to work until they have met the following:
 - a. The employee must be evaluated by a Substance Abuse Professional. This professional must meet the criteria outlined in the DOT's Alcohol and Drug Rules for Substance Abuse Professionals.
 - b. The employee must comply and complete all recommendations made by the Substance Abuse Professional and be able to document same.
 - c. The employee must submit to a return-to-duty test and a proof of negative test result must be received by the Board.
2. When the employee is cleared to return to work, he/she will be required to pass an alcohol and drug test. Upon receipt of a negative finding, if an employee is allowed to return to work, he/she will be subject to follow-up testing as required by this policy. The cost of the follow-up testing will be equally split between the Board and the employee.
3. Notwithstanding the above, the Board reserves the right to take disciplinary action against an employee for a positive drug or alcohol test. **The Administration shall recommend to the Board automatic suspension and termination for all CDL holders who refuse testing or whose test is ultimately determined to be positive under this policy. Any such action is subject to the grievance procedure.** All employees who test positive may be subject to disciplinary action up to and including termination.

J. Follow-Up Testing:

Pursuant to this policy, any employee returning to work with the Board after being disqualified for a positive alcohol or drug test will be subject to random follow-up testing. The employee will be tested at least six times in the first twelve months after returning to duty, and may be subject to follow-up testing for up to sixty months.

K. Testing Procedures:

Collection of urine specimen shall be done in accordance with federal regulations as described in 49 CFR, Part 40. The employee must give his/her consent to be tested. Collection will be done at a collection site designated by the Agent. A proper chain of custody shall be maintained. Should this chain be broken, the test shall be invalidated and a new collection made.

L. Drug Testing:

1. All drug testing required by the Board will be performed in accordance with DOT guidelines. This testing process will look for the presence of the following substances: Amphetamine, Cocaine, Opiates, Marijuana and Phencyclidine.
 2. Drug testing is by urinalysis using split samples. Split sample testing requires the specimen be divided into two separate bottles during the collection process. These two bottles are designated as (1) the primary specimen which shall contain no less than 30 ml. of urine, and (2) the "split" specimen which shall contain no less than 15 ml. of urine.
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Upon arrival at the laboratory, the primary specimen will be opened and tested. In the first screening test, immunoassay techniques are used to screen urine specimens for classes of drugs. In the event of a verified positive test of the primary specimen or a verified adulterated or substituted test result, a second, or confirmation test will be performed. Any positive results found in the first screening will be confirmed using the tandem technique of gas chromatography/mass spectrometry (GC/MS) which positively identifies and quantifies the presence of specific drugs. No test result will be reported by the laboratory to the Medical Review Officer ("MRO") as a positive drug test unless both the initial screening test and the confirmation test are positive.

3. The laboratory shall report the test results to the MRO who shall evaluate the chain of custody, urine custody form, and test results. If a test is reported positive by the laboratory, the MRO will interview the employee to make an independent evaluation of whether the test should be reported as negative or positive. In the event the MRO's determination is to verify the positive laboratory result, the MRO will report the results of a drug test only to the Board's designated representative.
4. Should an interview with the employee be necessary, the MRO will make three attempts over a twenty-four hour period to call the employee. Should the MRO fail to make contact, he/she shall contact the Board's designated representative to request that the employee contact the MRO.
5. The Board's designated representative shall inform the employee of the MRO's request in a confidential manner. Failure to respond within five days will be noted by the MRO when positive test results are reported and shall be considered insubordination by the employee. If the MRO and the Board's designated representative are unable to contact the employee, the employee will be placed on leave pending dismissal. Any available personal days will be utilized first when such a leave is required. It is the employee's responsibility to provide a phone number at which he/she can be contacted on the chain of custody form.

M. Alcohol Testing:

1. All alcohol breath testing required by the Board will be performed in accordance with DOT guidelines. This testing must be done using an evidential breath testing device approved by the National Highway Traffic Safety Administration. This testing can only be performed by a Breath Alcohol Technician ("BAT") that is certified in the equipment being used.
 2. Two breath tests are required to determine if a person has a prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test and no further testing is required. If the initial screening shows an alcohol concentration of 0.02 or greater, a second or confirmation test is required. The confirmation test must be taken 15 minutes after the initial screening. During that 15 minute period, the employee being tested is to remain with the BAT and must refrain from eating, drinking, smoking or belching. After the 15 minute waiting period, a second breath test will be performed. The results of the second test stand and become the official test result.
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3. Applicants and employees are expected to report for alcohol and drug testing as required by this policy and in accordance with Board testing procedures. Employees are to report to work with no alcohol or illegal drugs in their bodies. Any refusal to submit to alcohol breath testing or urinalysis drug testing as directed by supervisory personnel will be considered a refusal-to-test and may subject the employee to disciplinary action up to and including termination. **The Administration shall recommend to the Board automatic suspension and termination for all CDL holders who refuse testing or whose test is ultimately determined to be positive under this policy. Any such action is subject to the grievance procedure.**
- N. Confidentiality of Test Results:
The results of any drug and/or alcohol test will be reported and recorded in a confidential manner. Allowable communication of medical or test results will follow guidelines established in 49 CFR, Part 40. The results will not be reported to any additional parties without the employee's written authorization, except as outlined in 49 CFR, Part 40. A copy of the individual's test results will be available upon request of the individual.
- O. Quality Assurance of Testing Program:
1. The Board, through its Agent, will take steps in its arrangements for testing to ensure that the laboratory is certified by SAMHSA and meets the requirements of the DOT.
 2. The chain of custody for any urine sample shall be maintained at all times. If the chain of custody is broken, after the tamperproof seal is applied, the employee shall be retested at the Board's expense. Please see "Donor's Checklist for Drug Testing", attached as Appendix A, for additional information.
 3. An employee who tests positive for drugs shall be advised of the right to request a test of the split sample/specimen and that such a request must be made within 72 hours of being notified of that right. The procedures contained in the DOT regulations dealing with notification and the testing of the split specimens and test results shall apply. Testing shall be performed at a National Institute on Drug Abuse ("NIDA") or SAMHSA certified laboratory. Testing of the split sample/specimen at the request of an employee shall be at the employee's expense. Employees whose sample is re-tested and the laboratory finds a negative finding, will be reimbursed the cost of the test, returned to work and paid for lost work time.
 4. The Board, through its Agent, will make every effort to ensure that the equipment being used for alcohol breath testing meets all the requirements of the DOT and all testing will be performed by a qualified BAT.
- P. Substance Abuse Related Behavior:
1. Pursuant to this policy, any employee engaging in the manufacture, distribution, dispensing, possession or use of illegal drugs and/or alcohol on Board premises, in Board vehicles, or while on Board business may face disciplinary action, up to and including termination. Any manufacture, distribution, dispensing, possession, or use of illegal drugs and/or alcohol by any employee may result in disciplinary action up to and including termination. Law enforcement officials will be notified, as appropriate, where
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criminal activity is suspected. Any employee convicted of violating a criminal drug statute will notify the designated Board representative within five days of such conviction.

2. Any employee who refuses to comply with a request for drug and/or alcohol testing shall be considered as having produced a positive test result and may be subject to disciplinary action, up to and including termination. Any employee who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution, shall face disciplinary action up to and including termination for insubordination. In the event that the laboratory detects any substance which has been added to the sample to interfere with the normal testing process this will be considered a "refusal to test" and the employee involved shall face disciplinary action, up to and including termination. **The Administration shall recommend to the Board automatic suspension and termination for all CDL holders who refuse testing or whose test is ultimately determined to be positive under this policy. Any such action is subject to the grievance procedure.**
3. The Board, subject to constitutional restraints, reserves the right to inspect, investigate, and search for controlled substances at any time, without prior notice, on or in any and all Board premises and vehicles. The Board agrees not to search the employee or personal items belonging to an employee, without the consent of the employee. This includes those personal items contained in an employee's locker or normally carried by the employee on his or her person or contained in the employee's motor vehicle. Refusal to cooperate with any inspection, investigation, or search that is authorized by a Board representative shall result in disciplinary action up to and including termination for insubordination.
4. This policy applies to all Board employees. Visitors, vendors, and contractors are also governed by this policy while on Board property or providing services to or for the Board. Failure on the part of vendors or contractors to adhere to this policy will cause the Board to cease to do business with that concern.

Q. Employees Voluntarily Seeking Help:

1. The Board strongly encourages an employee with a drug/alcohol abuse problem to voluntarily step forward and inform the Board.
 2. Pursuant to this policy, the Board will assist in referring the employee to community assistance programs. An unpaid leave of absence will be granted for a reasonable period of treatment. Employees entering volunteer programs for positive test results shall be eligible to use accrued sick time. In addition, employees can utilize an unpaid leave of absence as provided by Board policy.
 3. It is crucial to note that the accommodations in this section apply only when an employee voluntarily comes forward. If a substance abuse problem is disclosed to the Board only after there has been (1) a positive drug and/or alcohol test, (2) a violation of a Board rule or standard, (3) a violation of law, or (4) a violation of this policy, the same conditions outlined in the return-to-duty testing section of this policy apply. If an employee fails to remain drug free after the first voluntary rehabilitation, he/she could be discharged. **The Administration shall recommend to the Board automatic**
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suspension and termination for all CDL holders who refuse testing or whose test is ultimately determined to be positive under this policy. Any such action is subject to the grievance procedure.

R. Training:

1. In an effort to educate employees in the dangers of drug use and alcohol misuse, information covering the dangers of substance abuse and treatment will be provided to each Board employee. This information is attached to this policy as Appendix B.
2. Supervisory employees will receive at least one hour of training on identifying those individuals who might be impaired by the use of drugs and one hour of training on the signs and symptoms of alcohol misuse.

S. Employee Acknowledgement:

Each employee or prospective employee shall be given a copy of this policy. He/she must acknowledge receipt and understanding of the policy as a condition of employment. A sample of this acknowledgement is attached as Appendix C.

Date adopted: 4/27/95

Date revised: 4/27/06

Policy

Board of Education Woodbridge Township

#328 SUBSTITUTE COMPENSATION

In order to retain well-qualified substitutes for service in this district, the Board will offer competitive compensation. Substitutes shall be paid on a per diem basis at a rate established by the Board per the negotiated agreement with the Woodbridge Township Education Association.

Reference: 18A:29-16, 30-6, 66-2(p), 66-14
Regulation #3280

Date adopted: 12/21/78
Date revised: 3/17/11

Policy

Board of Education Woodbridge Township

#329 TRAVEL EXPENSES FOR ATTENDING PROFESSIONAL ACTIVITIES

The district's budget includes finances for Board of Education members and designated employees to use for approved professional visitations and travel. Many individuals who benefit from this provision are faced with the prospect of having to expend personal funds and make otherwise inconvenient arrangements to meet the financial requirements of their professional visit.

The district's goal states that it should "...provide a competent staff and a system that maintains high levels of skills and performance." Therefore, the administration shall develop guidelines for the utilization of public funds for professional out-of-district purposes.

Date adopted: 11/75

Date revised: 12/21/78

Policy

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#330 BENEFITS FOR CERTIFIED EMPLOYEES NOT COVERED BY AGREEMENT

Certified full-time employees not covered by terms of a negotiated contract shall be entitled to all such insurance and leave for sickness or disability as is afforded to the certified staff of the Woodbridge Township schools.

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#331 MILITARY SERVICE

The Board recognizes that military service rendered by an employee in the defense of our country or in maintaining preparedness is a service benefiting all citizens.

Military leave shall be granted to all employees in accordance with the applicable State and federal laws pertaining to the employees of school districts. If any portion of a military leave of absence for state or federal active duty or active duty for training is not paid leave pursuant to State or federal law, an employee on such leave shall be compensated at the rate of salary minus substitute pay.

Employees returning from military service shall be re-employed after termination of such leave of absence if such employee has been honorably discharged from service. Employees returning from military leave must notify the Office of Personnel Services sixty (60) days prior to discharge. For the purpose of determining the appropriate step on the salary schedule upon which such an individual is to be placed, service prior to the leave of absence and subsequent to his/her return to employment shall be considered as continuous service to the Board of Education as though the same had not been interrupted by military leave provided, however, that a maximum of four (4) years' credit for military service for the purpose of determining the appropriate step on the salary schedule shall be granted to any employee.

An employee's eligibility for benefits, including unused accumulated sick leave and credits toward sabbatical eligibility, shall not be affected by a military leave of absence as provided for in this policy. For this purpose, the employee's service prior to leave of absence and subsequent to his/her return to employment shall be continuous service to the Board of Education as though the same had not been interrupted by military leave.

Reference: N.J.S.A. 18A:6-33, 18A:29-11, 38:23-1 et seq., 38A:4-1
N.J.A.C. 4A:6-1.11

Date adopted: 12/21/78

Date revised: 8/21/08

Policy

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#334 STAFF DRESS AND GROOMING

Teachers set an example in dress and grooming for their students to follow. A teacher who understands this precept and adheres to it enlarges the importance of his/her task, presents an image of dignity, and encourages respect for authority. These factors act in a positive manner towards the maintenance of classroom discipline.

The Board retains the authority to specify the dress and grooming guidelines for staff, within law, that will prevent such matters from having an adverse impact on the educational process.

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#335 WORKERS' COMPENSATION

Regularly employed Board personnel are entitled to sick leave pursuant to statute. However, no policy has been established concerning the charging of sick days against employees who are injured in the course of their employment with the Board.

The Board considers it desirable that employees injured on the job not be charged with sick days for such absence caused by and resulting from injuries sustained in the performance of his/her duties. Now therefore:

- A. Any employee who is injured in the course of his/her employment with the Board shall not be charged with sick days during the absence caused by such injury and the said injured employee shall be entitled to receive full pay for a period up to one calendar year without having such absence charged to his/her annual sick leave or accumulated sick leave, but such full pay shall be reduced by any amount or amounts which may accrue to or be payable to said employee as a result of payments under the Temporary Disability Law. Application for benefits under the Temporary Disability Law and good faith processing of claims are conditions precedent to the payment of full salary and benefits under this policy.
- B. The Business Administrator/Board Secretary is authorized to make such payment and receive and deposit to the Board account any temporary disability checks received by the injured employee.
- C. The Board shall have the right to require proof of injury and happening of occurrence arising out of and in the course of his/her employment; and, if there is a controversy, the Board, in its sole discretion, shall resolve same. The employee shall be required to be examined by a Board designated workers' compensation physician.

Reference: 18A:30-2.1

Date adopted: 7/01/65

Date revised: 12/21/78

Policy

Board of Education Woodbridge Township

#336 STAFF DISTRICT RELATIONSHIPS

- A. Following our guidelines, which as a matter of policy shall govern certain aspects of the relationship between individual staff members and the Board of Education, all stationery representing the Board of Education shall be approved by the Superintendent or his/her designee before being printed.
 - B. Employees shall only place calls outside of our dialing area after receiving permission from their supervisor. All personal calls shall be made on the public telephones made available in each building. All calls made on school phones reaching outside the local dialing area must be recorded in a log maintained near the phone.
 - C. Staff members shall be responsible for the proper care and accounting of all materials and supplies furnished and owned by the Board of Education.
 - D. Unless otherwise noted, staff members cannot loan or borrow school property for personal use.
 - E. School mails may only be used for school business and other businesses approved by the Board of Education but not for personal use of individual staff members.
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Policy

Board of Education Woodbridge Township

#338-A EVALUATION OF TENURED TEACHING STAFF MEMBERS

The Board of Education recognizes that the evaluation of tenured teaching staff members is essential to the achievement of the educational goals of this district. In order to insure the greatest benefit to the district from this program of evaluation, it shall be a continuous, constructive, and cooperative experience between the teaching staff member and her/his supervisor/evaluator, which is intended to improve the learning experiences of students.

The purpose of the evaluation program shall be to promote professional excellence and improve the skills of tenured teaching staff members, improve student learning and growth, and to provide a basis for the analysis of staff performance.

Each tenured teaching staff member shall be evaluated annually by appropriately certified supervisors/evaluators. Criteria used shall evolve from the district and school instructional priorities, program objectives, available indicators of pupil progress and growth, and each staff member's position, as specified in the job description for his/her position.

The Superintendent of Schools, or his/her designee, shall develop, in consultation with tenured teaching staff members, job descriptions for each teaching staff member position and evaluation criteria for said positions. The job descriptions should be concise, stating major responsibilities as briefly as possible. All job descriptions are to be approved by the Board of Education.

It shall be the responsibility of the Superintendent of Schools, or his/her designee, annually, by October 1, to provide each tenured teaching staff member with a copy of this policy statement, his/her job description, and the evaluation criteria. Any amendments shall be distributed within ten working days of their adoption. The Superintendent of Schools, or his/her designee, shall make provisions for periodic review of the effectiveness of the evaluation system.

The Superintendent of Schools, or his/her designee, in consultation with teaching staff members, shall develop implementation procedures for this policy which shall include, but not be limited to, the collection and reporting of data appropriate to job descriptions, observations, observation conferences, the preparation of individual professional development plans, annual summary conferences, the signing of the annual written performance reports, and the filing and disposition of copies of the annual written performance reports.

Date adopted: 7/26/79
Date revised 11/13/08

Policy

Board of Education Woodbridge Township

#338-B SUPERVISION OF INSTRUCTION/EVALUATION OF NON-TENURED TEACHING STAFF MEMBERS

The Board of Education recognizes that the supervision and evaluation of non-tenured teaching staff members is essential to the achievement of the educational goals of this district. In order to insure the greatest benefit to the district from this program of evaluation, it shall be a continuous, constructive, and cooperative experience between the teaching staff member and her/his supervisor/evaluator, which is intended to improve the learning experiences of students.

The purpose of the supervision and evaluation program shall be to promote professional excellence and improve the skills of non-tenured teaching staff members, improve student learning and growth, and to provide a basis for the analysis of staff performance.

Each non-tenured teaching staff member shall be observed a minimum of three times yearly and evaluated annually by appropriately certified supervisors/ evaluators. Criteria used shall evolve from the district and school instructional priorities, program objectives, available indicators of pupil progress and growth, and each staff member's position, as specified in the job description for his/her position.

It shall be the responsibility of the Superintendent of Schools, or his/her designee, annually, by October 1, to provide each non-tenured teaching staff member with a copy of this policy statement, his/her job description, and the evaluation criteria. Any amendments shall be distributed within ten working days of their adoption. The Superintendent of Schools, or his/her designee, shall make provisions for periodic review of the effectiveness of the evaluation system.

The Superintendent of Schools, or his/her designee, in consultation with teaching staff members, shall develop implementation procedures for this policy which shall include, but not be limited to, the collection and reporting of data appropriate to job descriptions, observations, observation conferences, the preparation of individual professional development plans, annual summary conferences, the signing of the annual written performance reports, and the filing and disposition of copies of the annual written performance reports.

Date adopted: 11/13/08

Policy

Board of Education Woodbridge Township

#339 ENCOURAGING TEACHER INITIATIVE

The Woodbridge Township Board of Education encourages its teaching staff members to do all they can to advance student learning and growth, and to create a positive climate for education. To accomplish this, some teaching staff members may decide that it is appropriate for them to work before the start of the contractual school day, or beyond it.

The Board of Education cannot, nor does it wish to, advocate violation of the contract. However, it does wish to express its support for those teaching staff members who, in their best professional judgment, decide that, in the best interests of students, individual initiative going beyond the minimum requirements of the contract is appropriate.

Therefore, the Board of Education allows and encourages its teaching staff members to use district facilities and participate in school related activities, before or after regular school hours and on days when school is not in session, so long as that action is consistent with other relevant school policies, and is not in conflict with other approved use.

Date adopted: 8/19/82

Policy

Board of Education Woodbridge Township

#340 PROHIBITION OF GAMBLING

The philosophy of the Woodbridge Township Board of Education indicates that we believe it is the district's responsibility to create an environment for learning. Within the environment, it is important that all staff members connected with the district observe all laws and set an example for student behavior.

Therefore, gambling is not permitted on school property. This rule also applies during working hours for employees whose assignments require them to work outside school work locations.

Any violation(s) of the above may subject the employee to disciplinary action including dismissal and prosecution.

Date adopted: 6/09/83
Date revised: 10/18/90

Policy

Board of Education Woodbridge Township

#341 EDUCATION GROUP HEALTH PLAN

- A. The Woodbridge Township Board of Education Group Health Plan shall cover certain medical, dental and vision care benefits for all eligible employees and their dependents as the Board of Education of Woodbridge, New Jersey, and the Woodbridge Township Education Association, N.J.E.A./N.E.A. have provided in the written agreement, effective July 1, 1987. The Board will not be liable for providing such health benefits after the termination of the written agreement.
- B. The same Plan of Health Benefits, conditions and terms as provided for eligible association members will apply to all eligible non-association employees and their dependents. The Board of Education of Woodbridge, New Jersey, will define the eligibility for the non-association participants of the Health Plan in Policy Resolutions. The eligible class includes the Board Administrators, Woodbridge Township Administrators Association, Tradesmen (except carpenters), and discretionary personnel including central administrators, graded discretionaries, and data processing personnel.
- C. The Health Plan's eligibility rules for participants, description of benefits and disqualification, ineligibility or denial, loss, forfeiture or suspension of benefits will be administered solely in accordance with the Plan terms as provided by the policy underwritten by the insurance carrier (or Health Maintenance Organization) and agreed to by "the Board" and "the Association." Nothing shall limit the right of non-association employees to negotiate health benefits rights with the Board separately.
- D. The Board will administer the plan in a non-discriminatory manner without requesting exceptions to the plan's terms (including the option to self-fund the precedent exception) unless the Board, insurance underwriters, and the association agree to formally modify plan terms for all eligible employees (and their dependents) covered by the plan by written amendment to the contract.

Date adopted: 1/14/88

Policy

Board of Education Woodbridge Township

#345 COMPARABILITY OF PERSONNEL

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, Section 1120A(c), the Board of Education of the Township of Woodbridge directs the superintendent to assign teachers, administrators, and auxiliary personnel to the schools in such a way that the equivalence of personnel is ensured among schools.

Date adopted: 8/27/87

Date revised: 11/18/04

Policy

Board of Education Woodbridge Township

#346 PROTECTION OF EMPLOYEES FROM RETALIATION

The Board of Education of the Township of Woodbridge recognizes its duties under the New Jersey Conscientious Employee Protection Act N.J.S.A. 34:19-1, et seq., which protects employees from retaliation in the work place when, after written notification to the employer and allowing the employer a reasonable opportunity to correct the alleged improper activity, policy, or practice, they disclose or threaten to disclose to a supervisor or to a public body information regarding an activity, policy, or practice of the employer, which they reasonably believe is in violation of the law or a rule or regulation promulgated pursuant to law.

In order to implement the provisions of this act, the Board of Education of the Township of Woodbridge hereby directs the Superintendent to prepare an appropriate notice to employees regarding these rights and to prepare a form to accommodate such notices from employees.

The Board of Education appoints the Board Attorney to be the recipient of any and all notices filed by employees under this act. These notices should be mailed directly to the address of the Board Attorney in an envelope marked "Personal and Confidential."

Date adopted: 10/13/88

(NOTE: Accompanying form follows this Policy)

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Board of Education Woodbridge Township

Woodbridge Township Board of Education Policy #346

PROTECTION OF EMPLOYEES FROM RETALIATION FORM

The Board of Education of the Township of Woodbridge recognizes its duties under the New Jersey Conscientious Employee Protection Act N.J.S.A.34:19-1, et seq., which protects employees from retaliation in the work place when, after written notification to the employer, and allowing the employer a reasonable opportunity to correct the alleged improper activity, policy, or practice, they disclose or threaten to disclose to a supervisor or to a public body, information regarding an activity, policy, or practice of the employer, which they reasonably believe is in violation of the law or a rule or regulation promulgated pursuant to the law.

Mail this form directly to the Board Attorney. Mark the envelope "Personal and Confidential."

* * * * *

Describe the situation which you believe is in violation of the law. (Attach additional sheets if necessary.)

Name: _____

Address: _____

Telephone Number: _____ - _____ - _____

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Board of Education Woodbridge Township

#347 ASSIGNMENT OF TEACHERS AS COACHES

It is the responsibility of the Board of Education to provide coaches necessary to implement the Interscholastic Athletic Program in the high schools of the district.

A major factor in maintaining a high level of performance among coaches and student interest is the need to have coaches assigned to the schools in which they teach. The Board recognizes that the assignment of teachers shall be based primarily on student academic needs and the vacancies existing in the system.

However, it is the intention of the members of the Board of Education to, wherever possible, assign coaches to the buildings in which their teaching assignments are located. When a teacher who is a coach is assigned to a school building, the coaching assignment shall, wherever possible, be in that building. Should such assignments not be possible, the coaches should then be placed in one of the schools belonging to the same cluster as the school in which they teach.

Date adopted: 1/24/91

Policy

Board of Education Woodbridge Township

#348 STUDENT HEALTH SERVICES AND REQUIREMENTS

The purpose of health services in the school is to help each child attend school in optimum health and to benefit from the school experience. With this purpose in mind, the nurse shall work to stimulate in every child the desire to safeguard his or her own health so that he or she may face the school experience with a healthy body and an eager mind.

The school nurse is not to take over the responsibility that belongs to the parents. The training of a school nurse does not qualify him/her to prescribe or make diagnosis. His/her work in the school will consist of identification of problems of health education, health promotion, and health correction, as well as to participate in preventing and controlling communicable diseases and maintaining student health records. He/she shall plan and conduct screening examinations and health appraisals, as well as provide emergency care for injuries and illness. The school nurse shall provide health services, counseling, and education to students and staff.

The nurse employed by the school is a member of the school staff. In this capacity, he/she contributes to the overall educational program of the school. Since all of his/her functions shall have administrative and medical approval, he/she works closely with each principal in the individual schools, with the medical inspectors and with the central administrators. The nurse also works with parents, teachers, supervisors, administrators, school guidance personnel, doctors, dentists, and other agencies in helping students get appropriate attention for health problems.

All school age children in both public and non-public schools in the Township of Woodbridge shall have equal access to nursing services. Nursing care shall be provided to public school students and to those students who are enrolled full-time in the non-public schools while at school or who are injured or become ill at or during participation on a school team or squad.

Reference: N.J.S.A. 18A: 35-5, 40-4 et seq.; N.J.A.C. 6:29-4.1, 4.2, 5, 6.4;
N.J.A.C. 8:57-Chapter 226 Laws of 1991

Date adopted: 11/21/91

Policy

Board of Education Woodbridge Township

#351 SAFETY AND WORKING CONDITIONS

The Board of Education of the Township of Woodbridge is extremely concerned about the health and safety of its employees. In order to provide and maintain safe and healthful working conditions, the Board establishes this policy in order to ensure that operating practices will safeguard employees and result in better working conditions and the more efficient functioning of departments within the school district.

The Board wishes to reduce to a minimum the suffering of employees injured while performing their duties in the school district. Accidents are to be avoided and safety practices instituted to ensure that employees are not injured in the workplace.

All persons with supervisory responsibility must recognize the need for maximum safety in the workplace. Management safety performance should be evaluated as well as overall performance and administrators should take corrective action in all safety matters in order to ensure a safe workplace.

It is the desire of the Board of Education to ensure that employees perform their jobs correctly, use proper safety equipment, and observe all rules of safety. Administrators shall assist employees in their efforts to prevent and control accidents.

It is the intent of the Board of Education of the Township of Woodbridge to comply with all local, state, and federal safety and health acts as well as time-proven and common sense approaches to safety in the workplace. All possible measures should be taken to have employees avoid lost time because of accidents.

In order to ensure safety in the workplace and the reduction of time loss, the Superintendent is directed to establish regulations which will achieve these goals.

Date adopted: 5/20/93

Policy

Board of Education Woodbridge Township

#352 JURY DUTY

The Board will insure all full-time employees against loss of pay occasioned by a call to jury duty. Should an employee be called for jury duty, he/she shall report same to the immediate supervisor.

Employees called for jury duty shall be permitted to serve and will not be penalized in any way for doing so. If they endorse the check received from the court to the Board of Education or pay the amount shown on their record slip less travel allowance, they will receive full pay.

While on jury duty, employees are required to report daily their schedule for the following day and must report to work when excused for a day or more or suffer loss of pay.

The time spent on jury duty will not be charged against personal leave and will count as time on the job.

Date adopted: 1/18/96

Policy

Board of Education Woodbridge Township

#353 EMPLOYEE USE OF THE INTERNET

This policy applies to all employee users of the Woodbridge Township Board of Education's computers and networks. Employees also are expected to become familiar with and comply with Policy #197 and Regulation #1970, Acceptable Internet Use, and Policy #197-2, Acceptable Use for Technology Resources. If you have any questions about any of these policies or what they mean, please contact the Assistant Superintendent for Curriculum and Instruction.

A. Purpose

The Woodbridge Township School District recognizes that the Internet has become an important resource for research and education. In order to meet this need, employees are provided access to the Internet.

The use of the Internet is a privilege, not a right, and inappropriate use can result in termination of those privileges and disciplinary action. An employee's activities, while using the Internet from a Woodbridge Township School District site, is expected to be in support of research and education and consistent with the Woodbridge Township School District's objectives of providing thorough research and information assistance to its clients. An employee accessing the Internet from a Woodbridge Township School District site is responsible for all online activities which take place through the use of his or her login and password and all employees must comply with the guidelines set forth herein. When using another organization's networks or computing resources, employees must comply with the rules appropriate for that network.

B. Responsibilities of Users/Prohibited Uses

1. Employees are to use the Internet only for school-related purposes during school hours.
 2. Employees must refrain from using the Internet for personal use during school hours.
 3. Employees are not to access or transmit information regarding the Woodbridge Township Board of Education, Board of Education members, the Woodbridge Township School District, its students, administrators, staff, or other employees (collectively "the Woodbridge Township School District") without appropriate authorization.
 4. Employees should refrain from giving information about themselves – such as a social security number, credit card numbers, bank account numbers, home address or telephone number – to unknown companies or e-mail associates.
 5. Employees are not permitted to use the Internet in any manner that violates any federal, state, or local statutes or regulations.
 6. Employees are expected to observe copyright laws regarding computer software, software licensing agreements, web-site information, and acknowledgement of authorship.
 7. Employees are not permitted to download any software without first obtaining permission from the System Administrator.
-

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8. In the event that an employee is permitted to download software, a virus scan must be initiated.
9. Employees are not permitted to obligate the Woodbridge Township School District financially to any commercial web-sites without the express permission of the Supervisor of Technology, Media Centers and K-12 Staff Development.
10. There are numerous commercial websites and home pages on the Internet which require a subscription fee or other costs to access the site or to obtain or print information from that site. Anyone obligating the Woodbridge Township School District financially to these sites without prior permission may result in the termination of his or her Internet privileges and disciplinary action. Additionally, anyone violating the provision will be required to reimburse the Woodbridge Township School District for any unauthorized expenses incurred.
11. Employees are not permitted to use the Internet from a Woodbridge Township School District site to engage in the practice of moonlighting or for commercial purposes, advertising, unauthorized political lobbying, or other similar activities.
12. Employees are forbidden from accessing websites that contain obscene, discriminatory, harassing, offensive or inappropriate material. Employees are also prohibited from displaying or distributing material which is any way inconsistent with guidelines set forth in the Woodbridge Township Board of Education's Policies. An employee may consider some material to be humorous in content and, therefore, not harassing in nature but the viewer of such material may not hold the same viewpoint.
13. Displaying or distributing such information will be considered a violation of the Woodbridge Township Board of Education's Sexual Harassment and Anti-Harassment/Discrimination Policies which specifically prohibits such behavior and may result in the termination of his or her Internet privileges and disciplinary action.
14. Employees are to refrain from deliberately engaging in any act which could impair the operation of any facet of the computing resources in the Woodbridge Township School District or the resources of any recipient of the information. Such acts include, but are not limited to, injecting computer viruses, sending large mailings, sending large print jobs, installing or downloading unauthorized software, broadcasting "junk mail" (including chain letters) to mailing lists or individuals (commonly referred to as "spamming"), and other activities which may cause congestion on the network or compromise the integrity of the network.

Note: Deliberate actions to degrade or disrupt network services by spreading computer viruses is a criminal activity under state and federal law.

C. Privacy

The Internet is an appealing source of information and communication. Privacy is one thing the Internet does not provide. E-mailing or signing an Internet guest book are two ways in which information is obtained about people. Every time an employee uses the Internet, an electronic record is created somewhere in cyberspace. There is no preventive measure which can control it but one should be aware that it is happening.

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D. Training

Training and research support on the Internet is provided by the System Administrator. Initial training encompasses a basic introduction and searching techniques. Training at request.

E. Copyright

Copyright laws prohibit the unauthorized reproduction or distribution of copyrighted materials. Exceptions are permitted under the principles of "fair use". Employees are not permitted to copy or distribute electronic materials without the explicit permission of the copyright holder. Responsibility for any consequences arising from the infringement of a copyright lies with the employee.

F. Disclaimer

Not all sources on the Internet provide accurate, complete or current information. Employees should evaluate any Internet resources used in the course of research and education, questioning the validity of the information provided.

Date adopted: 8/27/98

Dates revised: 6/13/01, 9/20/07

Policy

Board of Education Woodbridge Township

#354 EMPLOYEE E-MAIL

This document sets forth the Woodbridge Township Board of Education's policy with regard to access to, review, or disclosure of electronic mail ("e-mail") messages sent or received by the Woodbridge Township School District's employees with the use of the Woodbridge Township School District's e-mail system. It also sets forth policies on the proper use of the e-mail system provided by the Woodbridge Township Board of Education.

This policy does not constitute a contract. The Woodbridge Township Board of Education reserves the right to change it at any time.

A. Use for School Purposes/Woodbridge Township School District Access, Review, Deletion and Disclosure

The e-mail system is provided to employees at Woodbridge Township School District expense to assist them in carrying out the Woodbridge Township School District's business. The e-mail system permits employees to communicate with each other internally and with selected outside individuals and companies that the Woodbridge Township School District, in its sole discretion, decides should be connected to the system.

The e-mail system is to be used for school related purposes – to transmit school information. The Woodbridge Township School District treats all messages sent, received, or stored in the e-mail system as school messages.

The Woodbridge Township School District owns the computer system and employees shall at all times use the computer system, including the e-mail system, only for the school purposes of the Woodbridge Township School District. Employees are asked to minimize the use of the e-mail system (internally or externally) for non-work related activities, and are strongly discouraged from attaching files to personal e-mail transmissions. The attachment of games or pictures to e-mail messages creates excessive volume in the Woodbridge Township School District's e-mail system, resulting in system-wide delays or failures of the computer system. Intentionally wasting of limited resources, game playing, and engaging in activities which disrupt the business environment of the workplace or actions damaging to the computers, computer systems or computer networks are prohibited. The e-mail system should not be used in any way in contravention of the promotion of the Woodbridge Township School District's educational and business purposes. Employees are expressly prohibited from using e-mail transmissions for commercial purposes and/or for personal gain or profit, or engaging in illegal activities.

In transmitting e-mail communications, an employee should realize that, since those communications can be accessed by the Woodbridge Township School District at any time, there should be no expectation of privacy or confidentiality in those communications. The Woodbridge Township School District has the capability to access, review, copy and delete any messages sent, received, or stored on the e-mail system. Further, in certain circumstances, the Woodbridge Township School District has the ability to access deleted messages. The Woodbridge Township School District reserves the right to access, review, copy or delete all such messages for any purpose at any time and to disclose them to any party (inside or outside the Woodbridge Township School District) it deems appropriate.

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Should employees make incidental use of the e-mail system to transmit personal messages, such messages will be treated no differently from other messages, i.e., the Woodbridge Township School District reserves the right to access, review, copy, delete or disclose them for any purpose. Accordingly, employees should not use the e-mail system to send, receive, or store any messages that they wish to keep private. Even if an employee classifies the e-mail message as “personal and confidential” or “private,” these messages (and all others) remain subject to inspection and review by the Woodbridge Township School District. An employee’s use of the e-mail system constitutes the employee’s consent to the Woodbridge Township School District’s recording and monitoring of the employee’s e-mail messages.

Employees should treat the e-mail system like a shared file system—with the expectation that messages sent, received or stored in the system (or on individual hard disks) will be available for review by any authorized representative of the Woodbridge Township School District for any purpose. As with the telephone, fax, and copy services available to all employees, the use of e-mail for non-school purposes is discouraged.

B. Confidential Information

Employees must exercise a greater degree of caution in transmitting confidential information on the e-mail system than they take with other means of communication information (e.g., written memoranda, letters or phone calls) because of the reduced human effort required to redistribute such information and the security considerations when e-mails are transmitted over the Internet.

The use of e-mail for external communications raises certain confidentiality concerns. The mode of transmission itself is not confidentially secure. Third parties have the ability to monitor the instances of transmission and potentially have access to the content. Further, transmission via the Internet is potentially subject to hacker eavesdropping and interference. At this time, the Woodbridge Township School District does not encrypt e-mail messages transmitted over the Internet. Therefore, these issues should be considered prior to forwarding any documents or confidential information to determine whether this mode of transmission is appropriate.

Confidential information should never be transmitted or forwarded to outside individuals or companies not authorized to receive that information and should not even be sent or forwarded to other employees inside the Woodbridge Township School District who do not need to know the information. Always use care in addressing e-mail messages to make sure that messages are not inadvertently sent to outsiders or the wrong person inside the Woodbridge Township School District. In particular, exercise care when using distribution lists to make sure that all addresses are appropriate recipients of the information. Lists are not always kept current, and individuals using lists should take measures to ensure that the lists are current. Refrain from routinely forwarding messages containing confidential information to multiple parties unless there is a clear need to do so.

C. Viewing and Protecting E-Mail

In order to further guard against dissemination of confidential information, employees should not access their e-mail messages for the first time in the presence of others. E-mail windows should not be left open on the screen when the computer is unattended. All passwords should be kept confidential. However, to ensure that all documents and messages are

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accessible when a particular employee is not available, it is the responsibility of each employee to see that an appropriate person (or persons) is aware of both login and document passwords.

D. Copyrighted Information

Use of the e-mail system to copy and/or transmit any documents, software, or other information protected by the copyright laws is prohibited.

E. E-Mail Etiquette

Please bear in mind that your e-mail messages may be read by someone other than the addressee you send them to and may even someday have to be disclosed to outside parties or in a court in connection with litigation. Accordingly, please take care to ensure that your messages are courteous, professional and businesslike.

Remember that e-mail messages, once sent, are generally irretrievable. Be sensitive to the fact that in the absence of an explanation, e-mail messages may be ambiguous and convey the wrong impression. This is of specific concern when a message is being forwarded to multiple recipients. Rather than quickly sending messages without adequate review, you may consider printing the messages and reading them first prior to distribution to ensure that they convey the appropriate message. All employees are reminded that they should use the utmost caution and professionalism in any dealings with clients or prospective clients, including transmission of messages by e-mail.

F. Other Prohibited Uses – No Harassment, Discrimination, Defamation

Use of the e-mail system to engage in any communications that are in violation of any state or federal law and/or are in violation of any Woodbridge Township Board of Education policy, including, but not limited to, transmission of defamatory, obscene, offensive, discriminatory, or harassing messages, pictures or images, or messages that disclose personal information without authorization, is prohibited. Displaying or distributing such information may be considered a violation of the Woodbridge Township Board of Education's Sexual Harassment and Anti-Harassment/Anti-Discrimination Policies which specifically prohibit such behavior and may result in disciplinary action.

G. Storing and Deleting E-Mail Messages

The Woodbridge Township School District strongly discourages the storage of large numbers of e-mail messages for a number of reasons. First, because e-mail messages frequently contain confidential information, it is desirable to limit the number, distribution and availability of such messages to protect the Woodbridge Township School District's information. Second, retention of messages fills up large amounts of storage space on the network server and personal hard disks, and can slow down the performance of both the network and individual personal computers. Finally, in the event that the Woodbridge Township School District needs to search the network server, backup tapes, or individual hard disks for genuinely important documents, the fewer documents it has to search through, the more economical the search will be.

Accordingly, employees are to promptly delete any e-mail messages they send or receive that no longer require action or are not necessary to an ongoing project. Employees should

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audit their stored e-mail messages to identify messages that are no longer needed and should be deleted.

Date adopted: 4/25/01

Policy

Board of Education Woodbridge Township

#355 EMPLOYMENT REFERENCES

As required by the Open Public Records Act, N.J.S.A. 47:1A-10, the Woodbridge Township Board of Education will provide, upon the request of any interested individual, the following information:

1. an employee's name;
2. title;
3. position;
4. salary;
5. payroll record;
6. length of service;
7. date of separation and the reason therefore; and
8. the amount and type of any pension received.

Pursuant to Board policy, the Board will not provide either a positive or a negative performance recommendation. Additionally, no school employee shall provide letters of recommendation or other employment reference information on behalf of the Board.

Board employees who choose to provide letters of recommendation or other employment reference information may do so in their individual capacities only and shall clarify in their communication that they do not speak on behalf of the Board. It is understood that employees who choose to provide such letters of recommendation or other employment reference information are acting on their own initiative and, as such, are acting outside of the scope of their employment. Use of the Board's letterhead and stationery by a school employee other than the Superintendent and his/her designees for the purpose of providing letters of recommendation or other employment reference information is prohibited.

Date adopted: 11/18/04

Policy

Board of Education Woodbridge Township

#356 FAMILY LEAVE AND MEDICAL LEAVE

I. INTRODUCTION

A. Statement of Purpose:

In accordance with the Family and Medical Leave Act of 1993, 29 U.S.C. §2601 et seq., (the "FMLA") and the New Jersey Family Leave Act, N.J.S.A. 34:11B-1 et seq., (the "NJFLA"), the Woodbridge Township Board of Education ("Board") will permit eligible employees to take an unpaid leave of absence due to certain qualifying events. Additionally, pursuant to the New Jersey Temporary Disability Benefits Law (the "TDBL"), N.J.S.A. 43:21-25 et seq., eligible employees will be permitted to receive family leave insurance benefits, in accordance with law. All requests by eligible employees for a leave of absence that qualify under the FMLA, the NJFLA, or both, are subject to this policy. All requests by eligible employees for family leave insurance benefits pursuant to the TDBL are also subject to this policy. To the extent that this policy is inconsistent with the FMLA, the NJFLA, the TDBL and their regulations, the statutes and regulations are controlling.

B. Scope and Effective Date:

This policy applies to all Board employees eligible for leave under the FMLA or the NJFLA and will apply to all applications for a leave of absence pursuant to the FMLA and/or the NJFLA made on or after the date of adoption of this policy. This policy is also applicable to all Board employees eligible for family leave insurance benefits pursuant to the TDBL and will apply to all applications for such benefits made on or after the date of adoption of this policy.

C. No Retaliation:

No employee shall be retaliated against for having exercised his or her rights under the FMLA, the NJFLA, and/or the TDBL nor be discouraged from the use of family and medical leave or from receiving family leave insurance benefits.

D. Non-Waiver of Rights:

The interaction between the FMLA, the NJFLA, the TDBL, and other applicable laws is complicated and may need to be reviewed on a case-by-case basis. Employees will receive that to which they are entitled by law. This policy will not serve to grant any greater rights or waive any right that the Board may have under the FMLA, the NJFLA, or the TDBL.

E. Employee Acknowledgement:

Each employee or prospective employee shall be given a copy of this policy. He/she must acknowledge receipt and understanding of the policy as a condition of employment. A sample of this acknowledgement is attached as Appendix A.

Policy

Board of Education Woodbridge Township

II. UNPAID LEAVE PURSUANT TO THE FMLA AND THE NJFLA

A. Eligibility and Qualifying Events:

An employee must be an eligible employee and choose to take a leave of absence because of one or more of the qualifying events described below:

STATUTE	ELIGIBILITY	QUALIFYING EVENTS
FEDERAL Family and Medical Leave Act ("FMLA")	You are eligible for FMLA leave if you have been employed by the Board for at least 12 months and you have worked at least 1,250 hours during the 12 months prior to the date your leave commences.	<ol style="list-style-type: none">1. The birth of your child.2. The placement of a child with you for adoption or foster care.3. Your need to care for a spouse, parent or dependent child who has a serious health condition.4. A serious health condition that prevents you from performing the essential functions of your job.5. A qualifying exigency arising out of the fact that an employee's spouse, son, daughter or parent is a covered military member on active duty or has been notified of an impending call or order to active duty status in the National Guard or Reserves in support of a contingency operation ("qualifying exigency leave").6. The need of a spouse, son, daughter, parent or next of kin to care for a covered servicemember with a serious injury or illness ("injured servicemember leave").
NEW JERSEY Family Leave Act ("NJFLA")	You are eligible for NJFLA leave if you have been employed by the Board for at least 12 months and you have worked at least 1,000 base hours during the immediately preceding 12 month period.	<ol style="list-style-type: none">1. The birth of your child.2. The placement of a child with you for adoption.3. Your need to care for your spouse, partner in a civil union, parent (including a parent-in-law) or dependent child who has a serious health

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		condition.
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Note: Paid leave and unpaid leave are not included for purposes of calculating the number of hours worked under the FMLA and the NJFLA.

Note: Leave taken for the birth, adoption or placement of a child in foster care must begin within one year of the birth, adoption or placement.

Note: Qualifying exigency leave is available only to those qualified employees who are family members of a military member in the National Guard and Reserves, and certain retired military; it is not available to family members of military members in the Regular Armed Forces.

Note: Injured servicemember leave does not cover employees who are family members of veterans or servicemembers on the permanent disability retired list.

B. Duration of Leave:

The amount of leave that may be taken by an eligible employee because of a qualifying event and how the amount of leave is measured depends upon whether the leave is taken pursuant to the FMLA, the NJFLA, or both. The amount of leave available to an employee will be calculated on a "rolling forward" basis. If a leave of absence qualifies pursuant to both statutes, an employee is eligible to take the maximum amount of leave provided by either statute as follows:

STATUTE	DURATION	HOW LEAVE TIME IS MEASURED
FEDERAL Family and Medical Leave Act ("FMLA")	For qualifying events #1 through #5 under the FMLA, set forth above, 12 workweeks during a 12 month period. For injured servicemember leave, 26 workweeks during a single 12 month period.	The 12 month period is measured forward from the first date that FMLA leave is taken; the next 12 month period begins the first time FMLA leave is taken after completion of any previous 12 month period. For example, if you take four workweeks of leave beginning on February 1, 2009, then you have up to 8 more workweeks of leave available through January 31, 2010. If you next take leave on April 1, 2011, then your 12 month period is measured through March 31, 2012. When injured servicemember leave is taken, the combination of this leave and other FMLA-qualifying leave may not exceed 26 workweeks during the single 12 month period. The single 12 month period begins on the first day an eligible employee takes leave to care for the injured servicemember. For example, if

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		an eligible employee took 16 weeks of injured servicemember leave, the employee could take only 10 weeks of FMLA leave to care for a newborn child during the single 12 month period. However, the employee may not take more than 12 weeks of FMLA leave to care for the newborn child during the single 12 month period, even if the employee takes fewer than 14 weeks of injured servicemember leave.
NEW JERSEY Family Leave Act ("NJFLA")	12 workweeks in any 24 month period.	The 24 month period is any 24 months measured from the date you first take NJFLA leave. For example, if you take four workweeks of leave beginning on October 1, 2008, then you have up to eight more workweeks of leave through September 30, 2010. If you use six more workweeks of leave beginning on March 1, 2009, then you only have two more workweeks of leave available through September 30, 2010.

C. Definition of "Serious Health Condition":

A "serious health condition" is defined as an illness, injury, impairment or physical or mental condition which requires inpatient care in a hospital, hospice or residential medical care facility or continuing medical treatment or continuing supervision by a healthcare provider. "Serious health condition" does not include routine physical, eye or dental examinations.

D. Definition of "Covered Servicemember":

A "covered servicemember means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A member of the Armed Forces, including a member of the National Guard or Reserves, would have a serious injury or illness if he/she has incurred an injury or illness in the line of duty while on active duty in the Armed Forces that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank or rating.

E. Qualifying Exigencies:

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Qualifying exigencies may include attending certain military events, arranging for alternative child-care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

F. Advance Notice:

In all cases, an employee requesting leave must complete an application for a leave of absence form from the Personnel Office. If the employee intends to take a leave of absence to care for a family member with a serious health condition, he or she is required to provide the Board with 15 days notice. When the need for qualifying exigency leave is foreseeable, the employee should provide notice as soon as practicable, regardless of how far in advance such leave is foreseeable. If the employee intends to take leave for any other qualifying reason and the need for leave is foreseeable, he or she is required to give the Board at least 30 days advance notice. If the need for the leave of absence is not foreseeable, the employee must notify the Board as soon as practicable. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, it should be practicable for the employee to provide notice of the need for leave either the same day or the next business day. If the employee does not complete the required forms, or if he or she fails to give the required notice, the Board may deny the leave request or delay the commencement of the leave.

G. How Leave May Be Taken:

Under certain circumstances, leave may be taken intermittently or on a reduced leave schedule. Intermittent leave is leave taken in separate blocks of time due to a single qualifying event. A reduced leave schedule is a leave schedule that reduces your usual number of working hours per workweek or per workday. If a leave of absence is taken due to the birth or adoption of a child, intermittent or reduced leave can only be taken with the approval of the Assistant Superintendent for Personnel Services. Intermittent leave or a reduced leave schedule taken pursuant to the FMLA will be approved for leaves due to the serious health condition of the employee, to care for a spouse, parent or child with a serious health condition, or for injured servicemember leave only if medically necessary. Intermittent leave taken pursuant to the NJFLA will be approved for leaves to care for a spouse, partner in a civil union, parent or child with a serious health condition only if medically necessary. If the leave of absence is needed for a planned medical treatment, the employee must schedule the treatment so as to create minimum disruption to the school district.

Additionally, those employees who are employed mainly in an instructional capacity ("instructional employees") who request leave that is foreseeable based on a planned medical treatment may be required to take leave for periods of a particular duration or transfer temporarily to an alternative position with equivalent pay and benefits when the employee would be gone for more than 20 percent of the working days during the period of leave. Instructional employees who fail to give 30 days notice of foreseeable leave to be taken intermittently may also be required to take leave of a particular duration, to transfer temporarily to an alternative position, or to delay the taking of leave until the required notice is given.

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H. Continuity of Instruction:

Where applicable, the Board reserves the right to transfer an instructional employee at the conclusion of his or her leave, without loss of pay or benefits while so assigned, until the end of a term if the leave begins more than five weeks prior to the end of a term, lasts at least three weeks, and the employee would return during the three-week period prior to the end of the term. The Board has the option not to transfer the employee until the end of the school term.

I. Medical Certification:

If the application for a leave of absence is based on a serious health condition of an employee or the serious health condition of a spouse, partner in a civil union, parent or child, the employee must submit an approved medical certification completed and signed by a health care provider. If the medical certification is not timely submitted, the Board may deny the leave. The Board has the right to require periodic re-certifications from the health care provider. The Board also may require, at its expense, that the employee submit to a medical examination by a health care provider designated by the Board concerning the information stated in the medical certification. If the second opinion differs from the first opinion, the Board may request that the employee obtain a third opinion from a health care provider chosen jointly by the employee and the Board at the Board's expense. The third opinion shall be final and binding.

J. Certifications Supporting Need for Military Family Leave:

The first time employees seek qualifying exigency leave arising out of the active duty or call to active duty status of a covered military member, the employees must provide a copy of the covered military member's active duty orders or other documentation issued by the military, which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered military member's active duty service. Additionally, the employees must provide a certification of the exigency necessitating the leave. A certification supporting qualifying exigency leave includes: (1) appropriate facts supporting the need for the leave, including any available written documentation supporting the request for leave; (2) the date on which the qualifying exigency commenced or will commence and the end date, as appropriate; (3) where leave will be needed on an intermittent or reduced leave schedule basis, an estimate of the frequency and duration of the qualifying exigency; and (4) if the exigency involves meeting with a third-party, appropriate contact information for that third-party.

Employees seeking injured servicemember leave must submit a certification completed by an authorized health care provider of the covered servicemember. In addition, the employee must submit a certification, which sets forth information provided by the employee and/or the covered servicemember, indicating the employee's entitlement to such leave.

K. Substitution of Paid Leave:

1. An approved leave of absence under the FMLA and the NJFLA is unpaid leave. Whether or not employees must first use and apply all accrued, unused vacation or personal days or other paid leave at the commencement of any FMLA and/or NJFLA leave is dependent upon each employee's collective negotiations agreement. Whether
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or not employees also must first use all of their accrued, unused sick leave for leave related to the employee's own serious health condition under the FMLA is similarly dependent upon each employee's collective negotiations agreement. For those employees who must utilize paid leave in conjunction with their FMLA/NJFLA leave, once such paid leave is exhausted, the balance of the leave will be unpaid.

2. Whether or not time taken off by an employee due to an on-the-job injury, which is covered by workers' compensation, will be charged as FMLA/NJFLA leave is dependent upon each employee's collective negotiations agreement. If so required, an employee's FMLA/NJFLA 12 workweek entitlement would run concurrently with every absence covered by disability.

L. Continuation of Benefits:

1. During FMLA and NJFLA leave, the Board will continue your group health care benefits at the level and under the conditions that coverage was provided prior to the commencement of leave. If an employee out on FMLA and/or NJFLA leave normally pays a portion of the premiums for health insurance coverage, these payments will continue during the period of leave. Health insurance coverage will terminate if the employee's premium payment is more than thirty (30) days late. The Board will advise employees at least fifteen (15) days prior to termination of coverage.
2. An employee on an unpaid leave of absence is entitled to retain those employment benefits accrued at the time leave was taken. However, additional employment benefits, such as seniority, will not accrue during leave as provided by law.
3. Paid leave time does not accrue during unpaid FMLA and NJFLA leave. Similarly, holidays occurring during an FMLA or NJFLA leave of absence will not be paid.

M. Spouses Employed by the Board:

If a husband and wife are both employed by the Board, the aggregate number of workweeks of FMLA leave to which both employees are entitled may be limited to 12 workweeks during any 12 month period if the leave is due to the birth or adoption of a child or to care for a parent who has a serious health condition.

Spouses employed by the Board are limited to a combined total of 26 workweeks in a single 12 month period if the leave is to care for a covered servicemember with a serious injury or illness, and for the birth and care of a newborn child, for placement of a child for adoption or foster care, or to care for a parent who has a serious health condition.

N. Return From Leave:

1. The Board may require an employee on leave to periodically report on whether he or she plans to return to work. If the employee wishes to return to work prior to the expiration of the approved leave, the employee must give notice to the Assistant Superintendent for Personnel Services at least five working days prior to the planned return. Additionally, if the employee wishes to return to work later than the expiration of the approved leave, the employee must give notice to the Assistant Superintendent for Personnel Services at least five working days prior to the date the approved leave was
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scheduled to conclude. The employee may be permitted to return to work prior to the expiration of the leave if the Assistant Superintendent for Personnel Services determines that it will not cause an undue hardship to the Board.

2. If FMLA leave was taken because of an employee's own serious health condition, the Board may require that the employee provide a certificate from his or her treating health care provider which states that the employee is able to resume working.
3. If the employee does not return to work at the expiration of an approved leave, the Administration shall make a recommendation to the Board for automatic dismissal for abandonment of his or her position.

O. Restoration to Position:

With the exception of certain "key" employees, when an employee returns from leave, the employee will be restored to the same or to an equivalent position, with equivalent pay and benefits. However, in no event shall the Board be obligated to extend a non-tenured employee's unpaid leave of absence beyond the contract year for which the employee is employed. Additionally, an employee is not entitled to restoration to a position or an equivalent position where that employee would not otherwise be employed at the time reinstatement is requested (e.g., expiration of contract, layoff). The Board can also deny restoration where an employee is unable to work at the conclusion of the 12-week leave period or where an employee gives an unequivocal notice of his or her intent not to return to work after FMLA/NJFLA leave.

P. Coordination of FMLA and NJFLA Leaves:

If an employee's leave qualifies under both the FMLA and the NJFLA, the leave used will be counted against the employee's entitlement under both laws. For example, if an employee takes 12 workweeks of leave because of the birth of a child beginning on September 1, 2009, the 12 workweeks will be counted against both the employee's FMLA and NJFLA entitlement.

III. PAID LEAVE PURSUANT TO THE TDBL

A. Eligibility and Qualifying Events:

The TDBL provides eligible employees with a monetary benefit, not a leave entitlement. An employee may be eligible for family leave insurance benefits under the TDBL if: (1) the employee had employment in at least 20 calendar weeks in New Jersey covered employment at a specific earnings level; or (2) if the employee earned at least 1,000 times the New Jersey minimum wage in New Jersey covered employment during the 52 weeks immediately prior to the week in which the claim for family leave insurance benefits begins

In accordance with the TDBL, eligible employees may receive up to six weeks of family leave insurance benefits during a 12 month period:

1. to care for a family member of the eligible employee made necessary by a serious health condition of the family member; or
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2. to bond with a child during the first 12 months after the child's birth, if the eligible employee or the domestic partner or civil union partner of the eligible employee, is a biological parent of the child, or the first 12 months after the placement of the child for adoption with the eligible employee.

Family leave insurance benefits are paid through deductions taken from employees' paychecks and will be administered through the existing State Temporary Disability Benefits Program.

B. Advance Notice:

Employees intending to take leave to bond with a newborn or newly adopted child must provide the Board with a minimum of thirty (30) days notice prior to commencement of the family leave. Failure by the employee to provide this notice will result in a two week (14 day) reduction in the employee's maximum family leave insurance benefits entitlement for the 12 month period unless the time of the leave is unforeseeable or the time of the leave changes for unforeseeable reasons.

Employees intending to take leave to care for a seriously ill family member on a continuous, non-intermittent basis must provide the Board with prior notice of the family leave in a reasonable and practicable manner, unless an emergency or other unforeseen circumstance precludes prior notice.

Employees intending to take leave to care for a seriously ill family member on an intermittent basis must provide the employer with a minimum of fifteen (15) days notice prior to the commencement of the intermittent family leave unless an emergency or other unforeseen circumstance precludes prior notice. Intermittent leave under the TDBL is limited to increments of not less than one day.

C. Coordination of TDBL benefits with FMLA and NJFLA Leaves:

An employee who is entitled to leave covered under the FMLA or the NJFLA must take any family leave insurance benefits concurrently with leave taken pursuant to the FMLA or the NJFLA. The TDBL does not confer upon employees an additional six weeks of leave entitlement beyond the 12 weeks of unpaid leave to which such employees are entitled under the FMLA and the NJFLA.

D. Restoration to Position:

The TDBL does not establish the right of an eligible employee to be restored to employment following a period of leave from work. However, should an eligible employee take leave that is covered under the TDBL in conjunction with either FMLA leave or NJFLA leave or both, the employee may have a right to reinstatement to the same or similar position the employee held prior to taking such leave, in accordance with law.

Date adopted: 3/16/06

Date revised: 9/17/09

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#357 CODE OF ETHICS

The Board of Education endorses a code of ethics for professional educators similar to the Code of Ethics of the Education Profession published by the National Education Association. This Code of Ethics applies to all certificated staff members and substitute teachers.

Preamble

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nature of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parent(s) or legal guardian(s), and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. This Code of Ethics indicates the aspiration of all educators and provides standards by which to judge conduct.

Violation of this Code of Ethics may result in discipline up to and including termination.

A. Principle I -- Commitment to the Student

The educator strives to help each student realize his/her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
 2. Shall not unreasonably deny the student access to varying points of view.
 3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
 4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
 5. Shall not intentionally expose the student to embarrassment or disparagement.
 6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly--
 - a. Exclude any student from participation in any program
 - b. Deny benefits to any student
 - c. Grant any advantage to any student
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7. Shall not use professional relationships with students for private advantage.
8. Shall not engage in a romantic or sexual relationship with any student no matter the student's age.
9. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

B. Principle II -- Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator:

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non-educator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

Date adopted: 6/26/08

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#360 INAPPROPRIATE STAFF CONDUCT

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a pupil's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well-being of all pupils attending the school district.

In support of this Board's strong commitment to the public's trust and confidence in school staff, the Board of Education holds all school staff to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The Board recognizes and appreciates the staff-pupil professional relationship that exists in a school district's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward pupils.

School staff's conduct shall be appropriate at all times in the completion of their professional responsibilities. School staff shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils. School staff shall not engage in inappropriate conduct toward or with pupils. Sexual contact between staff and students is prohibited. School staff shall not engage or seek to be in the presence of a pupil beyond the staff member's professional responsibilities. School staff shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is a special circumstance that has been approved in advance in writing by the Building Principal/immediate supervisor and the parent/legal guardian, or in case of an emergency.

A school staff member is always expected to maintain a professional relationship with pupils and protect the health, safety and welfare of school pupils. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.

School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor or Building Principal any possible violations of this Policy. In the event the report alleges misconduct by the Building Principal or the immediate supervisor, the school staff member may report directly to the district Superintendent of Schools, or his/her designee. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-11.1. and inform the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

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Reports of inappropriate staff conduct may be made in writing or with verbal notification. The immediate supervisor or Building Principal will notify the district Superintendent of Schools, or his/her designee, of all reports, including anonymous reports. The district Superintendent of Schools, or his/her designee, upon reviewing an initial report may take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the Division of Youth and Family Services in accordance with N.J.A.C. 6A:16-11.1, and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at anytime, upon request.

Reference: N.J.S.A. 18A:28-5
N.J.A.C. 6A:16-11.1

Date adopted: 6/26/08

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#361 STAFF MEMBER USE OF CELLULAR TELEPHONES

The Woodbridge Township Board of Education recognizes a school staff member may need to make a personal telephone call or personal text message during the workday.

In the event the staff member has a need to make a personal telephone call or send a personal text message during the workday, and the need is of such a nature that this cannot be done before the staff member's workday begins or after the workday has concluded, the school staff member may make a personal call/text message using a personal cellular telephone during the workday, provided the call/text message is made during the staff member's duty free lunch or break periods and is made outside the presence of pupils in an area inside the school building designated by the Building Principal or by the staff member's immediate supervisor.

A personal telephone call/text message by a school staff member on a personal cellular telephone shall not be made while the staff member is performing assigned Board responsibilities.

In the event the staff member has an emergency requiring immediate attention that requires the use of a personal cellular telephone, the staff member shall inform their Building Principal or immediate supervisor before or immediately after using the cellular telephone, depending on the nature of the emergency.

Staff members may not directly contact students via telephone, text message or other means of communication. All telephone communication with students must be made through the students' parents/guardians.

Date adopted: 6/26/08

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#362 REPORTING VIOLENCE, VANDALISM, ALCOHOL AND OTHER DRUG ABUSE

The Board of Education shall observe "School Violence Awareness Week" during the week beginning with the third Monday in October of each year by organizing activities to prevent school violence. Activities shall include, but are not limited to, age-appropriate opportunities for pupil discussion on conflict resolution, issues of pupil diversity, and tolerance. The Board shall invite law enforcement personnel to join members of the school district staff in the discussions and provide programs for school employees that are designed to help them recognize warning signs of school violence and to instruct them on recommended conduct during an incident of school violence.

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence or the possession or distribution of alcohol or other drugs on school grounds, and any school employee who reports a pupil for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form to include all of the incident detail and offender and victim information that are reported on the Electronic Violence and Vandalism Reporting System (EVVRS).

A. Reporting Violence, Vandalism, Alcohol or Other Drug Abuse

1. For each incident report of violence vandalism or alcohol or other drug abuse, the building principal shall:
 - a. review the incident report for accuracy in indicating the incident type, offender information, victim information, pupil demographics, and incident location;
 - b. forward a copy of the incident report to the Superintendent; and
 - c. notify the Superintendent of the action taken regarding the incident.
2. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.
3. The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence and vandalism, pursuant to N.J.S.A. 18A:17-46.
4. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.

B. Annual Reporting Requirements

1. The Superintendent annually shall submit a report to the Commissioner of Education of each incident of violence, vandalism and alcohol and other drug abuse in the school district utilizing the EVVRS in accordance with the requirements of N.J.A.C. 6A:16-5.3(e)1 through (e) 3.
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2. Prior to submission, the Superintendent shall:
 - a. review the report to verify that it is an accurate and final report of all incidences of violence and vandalism in all of the schools in the school district;
 - b. verify that the data entered onto the EVVRS are correct and in accordance with N.J.A.C. 6A:16-7.1(a)6; and
 - c. provide for the annual training of staff to prepare them to fulfill the reporting requirements set forth in N.J.A.C. 6A:16-5.3.

C. Annual Hearing Requirements

At an annual hearing held pursuant to N.J.S.A. 18A:17-46, the Superintendent shall report to the Board all acts of violence and vandalism and incidents of alcohol and other drug abuse that occurred during the previous school year, according to the provisions of N.J.S.A. 18A:17-46.

D. Knowingly Falsifying the Annual Violence and Vandalism Report Required Under N.J.S.A. 18A:17-46

1. Whenever it is alleged a school employee has knowingly falsified the annual report on violence and vandalism required under N.J.S.A. 18A:17-46, the Board shall make a determination regarding whether the employee committed the act.
 2. Any employee alleged to have knowingly falsified the annual report shall be notified in writing by the Board of such allegation and shall be entitled to a hearing before the Board, in accordance with the provisions of N.J.A.C. 6A:16-5.3(g)2.
 3. The hearing shall take place within thirty business days of the date on which the employee is notified of the allegation.
 4. The employee shall be entitled to be represented by a person of his or her choosing and to present witnesses on his or her behalf.
 5. The Board shall notify the employee of its determination in writing within five school days of the hearing.
 6. Upon a determination by the Board that an employee has knowingly falsified the annual violence and vandalism report, the Board may take one or more of the following actions, as outlined in N.J.A.C. 6A:16.5.3(g)3:
 - a. Impose minor discipline on a tenured or non-tenured employee notwithstanding any other law to the contrary and if negotiated with the majority representative of the employees in the appropriate collective bargaining unit.
 - b. Withhold a tenured or nontenured employee's increment for predominantly disciplinary reasons, which shall be subject to the grievance procedures established pursuant to law and shall be subject to the grievance procedures of section 8 of N.J.S.A. 34:13A-29.
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- c. File tenure charges with the Secretary of the Board in writing and with a written statement of evidence under oath to support such charges.
- d. Termination of employment for an employee:
 - 1) For tenured employees, the termination shall be in accordance with the outcome of the proceedings in D.3.c above; or
 - 2) impose such other disciplinary sanctions as may be authorized by law.
7. Any action taken by the Board pursuant to D.3. above shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record.
8. Any employee having been found responsible for the falsification of the annual report by the Board shall have the right to:
 - a. file a grievance under their respective bargaining agreements;
 - b. appeal the Board's determination to the Commissioner of Education in accordance with N.J.A.C. 6A:3-1.3 through 1.17, and subsequently to the State Board of Education; or
 - c. appeal the decision to the Superior Court of New Jersey.
9. The availability of appeal options shall be based upon the action taken by the Board.

A Board of education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

References: N.J.S.A. 18A:17-46; 18A:36-5.1
N.J.A.C. 6A:16-5.2; 6A:16-5.3

Date Adopted: 12/18/08
