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Policy

Board of Education Woodbridge Township

#401 CREATING A POSITION

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

The Board reserves the right to fix and prescribe the duties to be performed by all personnel and to create new positions, specify the number of persons within each job category, and set the initial salary for a 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 special needs of the students.

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

Date adopted: 12/21/78

Policy

Board of Education

Woodbridge Township

#402 EMPLOYMENT OF NON-CERTIFICATED PERSONNEL

The Board recognizes that it is vital to the successful operation of the district that all positions in the district created by the Board be filled with qualified and competent personnel.

The Board shall approve the employment, fix the compensation, and establish the term of employment for each person employed by this district. Such approval shall be given only to those candidates for employment recommended by the Superintendent. When any recommended candidate has been rejected by the Board, the Superintendent shall make an alternate recommendation.

- A. All applicants for non-certified positions shall be made through the office of the Director of Personnel Services on forms provided by the Board of Education.
- B. Each applicant should show evidence of good health, good character, knowledge, ability, and skills to carry on the work in the area in which employment is sought.
- C. Each applicant should demonstrate sufficient maturity to deal with pupils and other employees.
- D. Preference will be given to candidates for non-certificated employment who are residents of this school district.
- E. The employment of non-certificated employees prior to approval by the Board is authorized when their employment is required to maintain continuity of services in the district. Retroactive employment shall be recommended to the Board at the next meeting.
- F. The administration may administer such screening tests as may bear upon the candidate's ability to perform the tasks for which he/she is being considered.
- G. The administration shall seek such recommendations from former employers and others who may be of assistance in assessing the candidate's qualifications. Such records shall be retained confidentially and for official use only.
- H. The administration is authorized to conduct police checks of any applicant according to guidelines established by the New Jersey Department of Education.

According to the guidelines established by the New Jersey Department of Education.

Reference: 18A:6-5, 6-6, 16-1, 17-31, 58-16; N.J.A.C. 6:8-4.3

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#403 EMPLOYMENT OF SUBSTITUTE NON-CERTIFICATED PERSONNEL

The Board recognizes its responsibility to procure the services of substitute employees in order to prevent the impermissible abatement of the operation of the schools.

The Board may approve annually the names of potential substitute personnel and the positions in which they may substitute, except that additional names may be duly added to the list of substitute personnel by the Board during the school year following the approval of such list.

The employment of substitute employees prior to approval by the Board is authorized when their employment is required to maintain continuity of services in the district. Retroactive employment shall be recommended to the Board at the next meeting.

Reference: 18A:6-5, 6-6

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#404 EMPLOYMENT CONTRACT

The Board requires for the mutual protection of each regularly employed non-tenured, non-certificated staff member and for the district that each such employee be required to sign an annual contract.

Each employment contract shall specify:

- A. The salary at which the person is employed;
- B. The intervals at which the salary will be paid;
- C. The conditions of the probationary period;
- D. A provision for termination of contract on 60 days notice duly given following the successful completion of the probationary period.

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#405 ASSIGNMENT AND TRANSFER

The judicious placement of employees within the district is concomitant to the employment of qualified and competent personnel for the successful functioning of the district. Responsibility for the assignment and transfer of all non-certificated employees shall be vested in the Superintendent.

No two employees from any one family may be employed at the same school. "From one family" is interpreted to mean siblings, children, spouse, parents, or in-laws of an employee.

This policy becomes effective upon date of adoption.

Date adopted: 12/21/78

Policy

Board of Education

Woodbridge Township

#406 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 a 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 the 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

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

Policy

Board of Education

Woodbridge Township

#407 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 employees.

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

In the case of a non-instructional employee who, in the opinion of a supervisor, is unfit to work 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 disability shall be reported to the Superintendent by the appropriate building principal or administrative supervisor.
- B. Should the Superintendent determine that the reasons given constitute sufficient cause to order the employee to be examined, he/she shall give said employee written notice of those reasons, and a date within 15 days when he/she would be heard by the Superintendent if he/she should so desire. The employee shall also be notified that he/she may have a person of his/her own choosing present for advice at such hearing.
- C. Should the Superintendent, following a hearing (if requested by the employee), order an examination, said examination may be conducted by a physician designated by the employee and paid by the employee, or by a physician designated by the district and compensated by the district, or both.
- D. Should the physician designated by the district disagree with the physician designated by the employee, the two physicians shall agree in good faith on a third impartial physician who shall examine the employee and whose medical opinion shall be conclusive and binding on the issue of medical capacity to perform assigned duties.
- E. If, as a result of such examination, the employee is found to be unfit to perform assigned duties, he/she shall be placed on sick leave with such compensation to which he/she is entitled until proof of recovery satisfactory to the Superintendent is furnished.
- F. Should a tenured employee refuse to submit to examination following the exhaustion of proper appeals, the Board shall consider the certification of tenure charges for reasons of insubordination.

Reference: 18A:6-10, 16-2 et seq, 30-1 et seq

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#408 DISCIPLINARY ACTIONS

In the event of an infraction of district rules by a non-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 employee.

The Board reserves the right within the law to impose penalties for disciplinary reasons. However, where an employee fails or refuses to perform contracted work without an acceptable reason, the Superintendent or the Business Administrator/Board Secretary, where applicable, may deduct without further authorization, wages reasonably related to the time not worked.

The Superintendent or the Business Administrator/Board Secretary, where applicable, shall prepare disciplinary rules for situations most often encountered which provide for progressive penalties including, where appropriate, verbal warning, written warning, suspension, freezing annual wages, or dismissal.

Date adopted: 12/21/78

Date revised: 9/23/93

Policy

Board of Education Woodbridge Township

#409 OUTSIDE ACTIVITIES OF NON-CERTIFICATED EMPLOYEES

The Board recognizes that employees 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 employees in terms of their faithfulness to, and effectiveness in, discharging school duties and responsibilities.

Therefore, when non-school activities threaten an employee's effectiveness within the school system, the Board reserves the right to evaluate the impact of such activities upon the employee's responsibilities to the district.

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

Date adopted: 12/21/78

Policy

Board of Education
Woodbridge Township

#410 FREEZING WAGES

It is the purpose of this policy to point out to all non-certificated employees that any advancement on a salary schedule, including annual increments and raises, is not automatic but rests within the discretion of the Board.

Advancement on any salary schedule shall require favorable reports covering the employee's competence and thoroughness in the performance of assigned duties as well as the employee's record of attendance and compliance with district regulations.

The Superintendent shall base a recommendation for wage freeze on evaluations of the employee's performance and conduct.

Date adopted: 12/21/78

Policy

Board of Education

Woodbridge Township

#411 PERSONNEL FILES

It is necessary for the orderly operation of the school district to prepare a file for the retention of all papers bearing upon an employee's duties and responsibilities to the district and the district's responsibilities to the employee.

The Board requires that sufficient records exist to insure an employee's qualifications for the job held, compliance with federal, state, and local benefit programs, conformance with district rules, and evidence of completed evaluations. The Board delegates the maintenance of official personnel records to the Director of Personnel Services. A single central file shall be maintained, subsidiary records shall be maintained for ease in data gathering only.

Only that information which pertains to the assigned role of the employee and submitted by duly authorized school administrative personnel and the Board of Education may be entered in the official record file.

Personnel wishing to review their own records shall:

- A. request access;
- B. review the record in the presence of the administrator designated to maintain said records, or designee;
- C. make no alterations or additions to the record nor remove any material therefrom;
- D. sign a log attached to the file indicating date and person reviewing.

Personnel wishing to appeal material in their record shall make a request in writing to the administrator delegated to maintain the records and specify therein: name and date, material to be appealed, and reason for appeal. The responsible administrator shall hear the appeal and make a determination.

Personnel wishing copies of their file shall pay the duplicating rate specified by the Board.

Date adopted: 12/21/78

Policy

Board of Education

Woodbridge Township

#412 GRIEVANCE POLICY

It is the policy of the Board to develop and practice reasonable and effective means of resolving difficulties which may arise among employees, to reduce potential areas of grievances, and to establish and maintain recognized two-way channels of communication between supervisory personnel and discretionary employees.

The Board intends, in this grievance policy, to expedite the process for all parties concerned. The policy, therefore, has as its goal the following:

- A. The policy is intended to be used after an attempt has been made to resolve a difficulty on a face-to-face basis between the parties concerned;
- B. The policy is to secure proper and equitable solutions to grievances at the lowest appropriate level, and to facilitate an orderly succession of procedures within which solutions may be pursued;
- C. There shall be no reprisals of any kind taken against any employees or their representatives because of participation in a grievance, or support thereof; under no circumstances will the procedure constitute a reflection on the employment record of the grievant, nor shall the grievant or his/her representative conduct reprisals against the Board.

The procedure for processing grievances shall be specified in the administrative regulations of the district.

Reference: 34:13A-5.3

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#413 SUBSTITUTE PAY

In order to insure reliable assistance in the absence of regular non-certificated personnel, the Board will offer competitive compensation to qualified substitute clerks, custodians, and school aides.

Non-certificated substitutes will be paid on a per diem basis at a rate set annually by the Board.

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#414 JOB RELATED EXPENSES

The Board will provide for the payment of the actual and necessary expenses, including traveling expenses, of any non-certificated employee of the district incurred in the course of performing services for the district, whether within or outside the district, under the direction of the Board. This policy establishes the means for so doing.

The validity of payments for job related expenses shall be determined by the immediate supervisor. The use of a personal vehicle shall be considered a legitimate job expense if travel is among schools to which the employee is assigned.

Use of a personal vehicle for approved school purposes is reimbursable to the employee at a rate established by the Board of Education. The Board shall provide coverage for liability beyond the limits of the employee's automobile policy.

Date adopted: 12/21/78

Policy

Board of Education
Woodbridge Township

#415 WORKING PERIODS

The periods of work required of the school aide staff shall be two hours per day as assigned by the building administrator.

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#417 ANTICIPATED DISABILITY

The Board shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this district not otherwise covered by the terms of a negotiated agreement, whose absence from duties will be required for a foreseeable event of disability such as childbirth or surgery. Such provisions shall be governed by considerations for the health of employees, the need for continuity in school operations, and the maintenance of a qualified district staff.

Reference: 42 U.S.C. 2000e-2(a); 29 C.F.R. 1604-1 et seq; N.J.S.A. 10:5-12(a); N.J.S.A. 18A:6-6, 16-2, 16-3, 30-1 et seq

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#418 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.

Reference: 2A:69-2, -5

Date adopted: 12/21/78

Date revised: 3/29/90

Policy

Board of Education Woodbridge Township

#419 UNPAID PERSONAL LEAVE

The Board recognizes that certain personal situations occasionally occur where an employee seeks absence from work without pay. Where this is not inconsistent with the best interests of the district, the Board of Education may grant individual unpaid personal leave.

Reference: 18A:30-7

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#420 DRINKING ALCOHOLIC BEVERAGES DURING THE WORK DAY

The Board of Education recognizes its responsibility to be consistent in what it teaches students. A major thrust of our educational program is designed to prevent students from starting to drink alcoholic beverages and to stop any use if they have already experimented. Therefore, it is important that when district employees are around students they need to set a good example of what we are trying to achieve.

With this in mind, it is the policy of the Board of Education that all employees of the district shall not consume alcoholic beverages on or off school premises during their scheduled work day. Suitable action, consistent with law and contract, shall be taken in cases of violation of this policy.

Date adopted: 9/21/89

Policy

Board of Education Woodbridge Township

#421 LAYOFFS OF NON-CERTIFICATED EMPLOYEES

It is the responsibility of the Board to provide the staff necessary for the operation of the schools of the district consistent with the responsibility of the Board to its constituency for the judicious allocation of its resources.

The Board reserves the right, in accordance with statute and the terms of the collectively negotiated agreements, to abolish any existing position in whole or in part or to reduce the number of employees in such positions.

Non-instructional personnel not tenured in their position and not otherwise covered by the terms of a negotiated agreement shall be selected for layoff in accordance with performance on the job.

The Board of Education shall have the right to select the option of using a lottery in case of non-instructional personnel not otherwise covered by the terms of the negotiated agreement who are equal in terms of performance on the job.

Reference: 18A:6-10, 17-4

Date adopted: 12/21/78

Policy

Board of Education Woodbridge Township

#422 PROCEDURES FOR HIRING NON-CERTIFIED PERSONNEL

All persons seeking employment in a non-certified position with the Woodbridge Township School District must be appointed as a substitute employee prior to permanent employment.

The Board of Education shall appoint individuals to serve as substitute employees in each of the non-certified employment categories. The names of the substitute personnel and the positions in which they may substitute shall be approved by vote of the full Board of Education at a public meeting.

In order to be fair in its hiring practices, the Woodbridge Township Board of Education shall follow a set of procedures whereby all substitute non-certified personnel shall be treated in an equitable manner.

The appointment of all employees to non-certified permanent positions shall, wherever possible, be made from the substitute list.

Date adopted: 12/20/90

Policy

Board of Education Woodbridge Township

#423 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 concerned about by the high cost 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: 7/16/92

Date revised: 6/12/08

Policy

Board of Education

Woodbridge Township

#424 SAFETY AND LOSS CONTROL

No phase of operation or administration is considered of greater importance than safety and loss control. It is the policy of the Woodbridge Township Board of Education, therefore, to provide and maintain safe and healthful working conditions, and to follow operating practices that will safeguard employees, students, and property, and result in better working conditions and a more efficient operation.

It is the desire of the Woodbridge Township Board of Education to reduce to a minimum the suffering of employees injured while performing their duties for the school district. Additionally, accidents are usually proof of inadequate management practices which lead to interference with the quality of service and employee/student relations which translates to reduced effectiveness of program.

It is imperative that all persons with supervisory responsibility also recognize the need for maximum safety. Management safety performance will be measured along with overall performance. Administrators and supervisors shall take corrective action on safety matters at the lowest level consistent with good operating policy.

Employees are expected to perform their jobs correctly, use proper safety equipment, and observe all rules of conduct regarding safety.

District administrators shall provide staff assistance to school administrators, supervisors, and other personnel in their efforts to prevent and control accidents or loss.

It is the intent of the Woodbridge Township Board of Education to comply with all local, state, and federal safety and health acts, as well as time-proven and common sense approaches to safety and loss control, as it affects the school district.

The Woodbridge Township Board of Education Loss Control Program outlines the minimum activities required by management from the various levels of responsibility within the school district. Each level of management should increase its responsibility and activity as the need dictates.

The Woodbridge Township Board of Education accepts responsibility for loss control and gives full support to this program and the activities involved.

Date adopted: 4/27/93

Policy

Board of Education Woodbridge Township

#425 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

#426 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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Board of Education Woodbridge Township

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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Board of Education Woodbridge Township

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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Board of Education Woodbridge Township

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
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ml. of urine, and (2) the “split” specimen which shall contain no less than 15 ml. of urine. 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.
 3. Applicants and employees are expected to report for alcohol and drug testing as
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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 criminal activity is suspected. Any employee convicted of violating a criminal drug
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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 suspension and termination for all CDL holders who refuse testing or whose test**
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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

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#428 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.
 8. In the event that an employee is permitted to download software, a virus scan must be
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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

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

Policy

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429 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

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#433 NON-CERTIFIED DISCRETIONARY PERSONNEL VACATIONS

The Board of Education has endeavored to provide employment benefits for all employees and is desirous that employees be treated equitably with regard to vacations.

All non-certified discretionary personnel (excluding discretionary secretaries) now employed shall retain their existing vacation benefits; a uniform vacation policy shall be applicable to non-certified discretionary personnel (excluding discretionary secretaries) employed July 1, 1986, and thereafter. The vacation schedule for said employees shall be as follows:

- A. Vacation entitlement shall be determined by a common anniversary date of July 1.
- B. Entitlement for the first year of employment shall be a proration based on the number of full months worked prior to July 1. New employees shall accrue one day of vacation for each full month worked prior to July 1, not to exceed ten (10) days by the first July 1 anniversary date.
- C. Employees reaching their fifth (5th) anniversary date (July 1) shall be eligible for three weeks of vacation.
- D. Employees reaching their eleventh (11th) anniversary date (July 1) shall be eligible for three weeks plus one day's vacation. For each successive anniversary date from the eleventh (11th) to the fourteenth (14th), the employee shall be entitled to one additional day's vacation for each year worked, so that on the fifteenth (15th) anniversary date of July 1, the employee shall be entitled to a maximum vacation of four (4) weeks.
- E. Vacation entitlement for each employee shall be computed as indicated in the chart set forth below. The chart employs a hypothetical starting date of November 1, 1997.

Starting date of November 1, 1997

Date of Entitlement	No. of Vacation Days
7/1/98	8 Prorated Days
7/1/99	2 weeks
7/1/2000	2 weeks
7/1/01	2 weeks
7/1/02	3 weeks
7/1/03	3 weeks
7/1/04	3 weeks
7/1/05	3 weeks
7/1/06	3 weeks
7/1/07	3 weeks
7/1/08	3 weeks + one day
7/1/09	3 weeks + two days
7/1/10	3 weeks + three days
7/1/11	3 weeks + four days
7/1/12	4 weeks

Any discretionary personnel previously entitled to 20 days vacation annually shall retain that entitlement.

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Under normal circumstances, all vacations should be taken during the months of July and August. For exceptions, respective personnel must obtain written permission from the Office of Employee, Pupil, and Community Services.

Reference: 18A:30-7, et. seq.

Date adopted: 2/19/09

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#455 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

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#456 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.

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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:

Qualifying exigencies may include attending certain military events, arranging for alternative

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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.

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

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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 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
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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 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.
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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
 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.
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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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#457 DUTY TO REPORT AN ARREST

Any employee who has been arrested and charged with an offense or crime in this State or any other State which would disqualify the employee from public school employment in accordance with N.J.S.A. 18A:6-7.1 et seq. or N.J.S.A. 18A:39-19.1 et seq. (as may be amended) must report his or her arrest and the nature of the charges to the Superintendent as soon as possible. If the employee is absent from work and unable to report his or her arrest due to circumstances beyond the employee's control, then the employee shall report the arrest as soon as he or she returns to work. Thereafter, the employee may be suspended with or without pay in accordance with the law. Each such employee shall keep the Superintendent apprised of the status of the charges against him or her. Failure to report an arrest and charge in a timely manner and failure to keep the Superintendent apprised of the status of the charges may be the basis for disciplinary action.

Date adopted: 3/16/06

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#460 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

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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.

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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#461 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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#462 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.
 - 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.
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- 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
