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BOARD-OWNED PERSONAL COMMUNICATION DEVICES

The School Board will provide personal communication devices ("PCDs") to employees who by the nature of their job have a routine and continuing business need for the use of such devices for official Board business. For purposes of this policy, "personal communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones [e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.], ~~() telephone paging devices [e.g., beepers or pagers]], () and/or other web-enabled devices of any type.~~ PCDs are provided as tools to conduct Board business and to enhance business efficiencies. Board-owned cell phones are not a personal benefit and shall not be a primary mode of communication, unless they are the most cost-effective means to conduct Board business (i.e., because some cellular telephone services plan are billed on a time-used basis, Board-owned cell phones should not be used if a less costly alternative method of communication is safe, convenient and readily available).

[NOTE: START OF FIRST SET OF OPTIONS - CHOOSE OPTION A OR OPTION B]

Option A

[SELECT ONE]

- ☐ ~~The Superintendent will recommend and the Board will approve the staff members who will be issued a Board-owned cell phone and provided with a cellular telephone and/or wireless Internet/data service plan.~~
- ☒ The Superintendent shall designate those staff members who will be issued a Board-owned cell phone and provided with a cellular telephone and/or wireless Internet/data service plan.

[END OF SELECTIONS]

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The Superintendent or his/her designee is responsible for verifying:

- A. the need for each Board-owned cell phone and related service plan is clearly justified for Board business purposes;
- B. alternative solutions for work production and communication are considered;
- C. employees provided with cellular and/or wireless Internet/data service plans are notified of the purpose and limitations of usage;
- D. cellular telephone and wireless Internet/data service plan invoices outlining the details of usage are received and reviewed for conformance with this policy;
- ~~E. employees reimburse the Board for non-business use; and~~
- F. a Board-owned cell phone is returned and the corresponding cellular telephone and/or wireless Internet/data service plan is terminated when it is no longer justified by business requirements, the employee leaves the Board's employment, and/or when the employee has demonstrated a disregard for the limitation of this policy.

[X] In deciding which staff members should receive a Board-owned cell phone, the Superintendent will consider whether their jobs:

- A. require them to spend a considerable amount of time outside of their assigned office or work area during regular work hours and have regular access to telephone and/or Internet/data connections while outside their office or assigned work area;
- B. require them to be accessible outside of scheduled or regular work hours or to be contacted and respond in the event of an emergency; or
- C. consistently require timely and business critical two (2) way communication for which there is no reasonable alternative technology;

(This is not intended to include occasional, incidental access or purely voluntary access such as checking e-mail from home).

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- () safety requirements indicate having a cell phone is an integral part of meeting the requirements of the employee's job description;
- () ~~more than fifty percent (50%) of the employee's work is conducted outside the employee's assigned office or work area;~~
- () require them to be contacted on a regular basis outside regular work hours; or
- () ~~require them to be on call 24/7.~~

[END OF OPTION A]

Option B

[X] The School Board requires the staff members listed below to be accessible by telephone for Board business and exigencies when and if need arises. Cell phones enable individuals to be reached whenever a situation arises necessitating immediate contact, regardless of the person's location at that time. Therefore, a Board-owned cell phone **(X)** may ~~()~~ **shall** be issued to the Superintendent **(X)** as well as the following staff members:

- (X) Superintendent _____
- (X) Principals: _____
- (X) Assistant Principals _____
- (X) Maintenance Director: _____
- (X) Facilities Director : _____
- (X) Technology Director _____
- (X) Athletic Director: _____
- (X) And others as recommended by Superintendent

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[NOTE: SELECT THE FOLLOWING PARAGRAPH(S) IF ONLY ADMINISTRATORS/SUPERVISORS ARE SELECTED ABOVE.]

- [X] Since the eligible staff members listed above ~~() (with the exception of bus drivers and _____)~~ are expected to be readily accessible day and night, seven (7) days a week during the course of their employment, the Board considers cell phones and/or other PCDs to be essential equipment for the performance of their duties, and determines that the provision of a cell phone and/or other PCD to the above-mentioned staff members serves a valid public purpose.
- [] ~~Accordingly, the individual employment contracts of these staff members () (with the exception of bus drivers and _____) shall affirm that the staff member shall be provided with a Board-owned cell phone, describe the permissible and impermissible uses of that device, and describe the staff member's financial obligations, if any, for the service.~~

[NOTE: END OF FIRST SET OF OPTIONS]

- [] ~~Board-owned cell phones and/or their related service plans are to be used only to place calls, access the Internet, or receive/send e-mails, instant messages or text messages for Board business purposes.~~
- [] ~~Furthermore, Board-owned cell phones are not to be used to place calls or send/receive e-mails, instant messages or text messages of a personal nature, or access the Internet for personal business.~~

Cellular and wireless Internet/data service plans are expected to be set at the minimum level that fulfills the business need for the position in question. The service plan that is selected for an employee should be the one that provides a combination of services including number of minutes, coverage, and local call zone most nearly matching the employee's recurring business needs as well as whether or not the service plan includes text messaging, instant message and/or e-mail capability, and ability to access the Internet. If the service plan is based on minutes used for calls made or includes a charge regarding e-mail or instant messages, the smallest plan available to accommodate the particular business need shall be utilized.

The Board shall approve the Superintendent's recommendation regarding the type and level of cellular telephone and wireless Internet/data service appropriate for each staff member listed above. In all cases, the Superintendent shall take the steps necessary to secure the most economical and responsible service available.

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Thereafter, an annual review of the service plans available shall be made to determine if the Corporation's plans are the most economical and responsible available. Additionally, at least once annually, the Superintendent shall review the employee's actual usage (i.e., type and level of service) with the employee and, if warranted, authorize the acquisition of a different cell phone and/or selection of a different service plan that more nearly matches the employee's recurring business needs. Any such change in provider and/or necessary adjustments to individual staff member's device and/or service plan shall be presented to the Board for consideration and approval.

Possessing a Board-owned cell phone and/or other PCD is a privilege and all employees are expected to use them appropriately and responsibly. Employees are responsible for managing the cost effectiveness of their cell phone and/or PCD use by utilizing assigned landline and/or designated computers as available and appropriate. Employees should know that using a cell phone to place calls outside the immediate area might result in roaming charges, in addition to long distance and regular charges, and that the Board is charged for both outgoing and incoming calls.

In order to continue to be eligible to receive a Board-owned cell phone, staff members are required to answer all calls on his/her Board-owned cell phone and promptly respond to any messages.

[] ~~[Select this alternative language if non-exempt employee(s) (for Fair Labor Standard Act ("FLSA") purposes) receive Board-owned cell phones or other PCDs. See Policy 6700.]~~ In order to continue to receive a Board owned cell phone and/or other PCD, non-exempt employees are required during his/her regular work hours to answer all calls on his/her cell phone and promptly respond to any messages. Non-exempt employees are not permitted to work remotely via their Board-owned PCD outside regular work hours without prior authorization from their supervisor. In other words, unless they are directed to provide an immediate response, all e-mails/texts/calls should be responded to only during regular work hours. Non-exempt employees must maintain a written record of all time spent preparing and/or responding to e-mails/texts and placing and/or answering calls outside regular work hours.

Safe and Appropriate Use of Board-Owned PCDs, Including Cell Phones

Employee safety is a priority of the Board, and responsible use of Board-owned PCDs, including cell phones, requires safe use. See Policy 7530.02 - Staff Use of Personal Communication Devices.

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Employees may not use a PCD in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

Duty to Maintain Confidentiality of Student Personally Identifiable Information; Public and Student Record Requirements

Employees are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their Board-owned PCDs. See Policy 7530.02 - Staff Use of Personal Communication Devices.

When the Board intends to dispose of, or otherwise stop using, a Board-owned PCD on which an employee has maintained public records, student records and/or ESI that is subject to a Litigation Hold, the Corporation's IT department/staff shall verify such records are properly transferred to an alternative storage device, before disposing of, or otherwise ceasing to use, the PCD. The IT department/staff is responsible for securely deleting such records/ESI before disposing of, or ceasing to use, the Board-owned PCD. The IT department/staff is responsible for maintaining documentation concerning the actions it takes to comply with this requirement.

Employee's Responsibilities

Employees are responsible for the safekeeping, care and custody of the Board-owned PCDs assigned to them. Further, employees are responsible for the cost of misuse, intentional damage or reckless loss of the Board-owned PCDs provided to them.
~~(-) The Board does not provide or purchase insurance to cover loss or damage to its PCDs.~~

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Reasonable precautions should be taken to prevent theft, loss or damage to, or misuse or unauthorized use/access to, Board-owned PCDs. Upon resignation or termination of employment, or at any time upon request, an employee may be asked to produce the Board-owned PCD issued to him/her for return or inspection. Employees unable to present the device in good working condition within the time period requested (e.g., twenty-four (24) hours) **(X)** might ~~(-)~~ will be expected to bear the cost of a replacement. Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

[] ~~Each employee issued a Board owned PCD is required to keep a log documenting the calls made, e-mails, instant messages or text messages sent/received, or Internet sites accessed with a notation of the purpose of each action.~~

~~Each employee issued a Board owned cell phone will receive a detailed monthly statement for all charges. The employee must review the monthly statement for billing accuracy, then sign and date it verifying the employee's review and attesting that there are no charges for personal calls, text messages, instant messages or e-mails. A copy of the signed and dated statement is to be submitted to the Superintendent within ____ days of receipt of it by the employee. In the event that a personal call is inadvertently made or received, or a text message, instant message or e-mail of a personal nature is sent or received on the employee's Board owned cell phone, the employee shall be billed for the actual cost of the personal calls made or received, or the text messages, instant messages or e-mails sent or received. In addition, the employee shall also be charged a portion of the monthly service fee. If the employee's service plan is all inclusive and charges are not assessed for individual calls, text messages, instant messages or e-mails, then the employee will be charged a pro-rated share of the monthly charge. Any amount owed will be deducted from the employee's paycheck in the following pay cycle.~~

~~Any employee who regularly places or receives personal calls, or uses his/her Board owned cell phone to send/receive personal e-mails, text messages, or instant messages, shall be subject to disciplinary action. Use of a Board owned PCD by an employee to access a personal e-mail account or connect to the Internet for personal business is strictly prohibited.~~

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PCDs may not be transferred to any other employee without prior notification and approval of the Superintendent. Employees provided with a PCD understand that the PCD is owned by the Board. Any alteration or switching of PCDs must be approved in advance by the Superintendent.

- [X] Cell phone numbers provided by the Board, via contract with a cellular telephone service provider/vendor, are considered business numbers of the Corporation which ~~may~~ **shall** remain and belong to the Board for its use, unless otherwise changed by the service provider/vendor or as mandated by the Federal Communications Commission. **(X)** Employees are not allowed to transfer/port a previous personal cell phone number to a Board-owned cell phone.

The Board reserves the right to audit all Board-owned cell phones, which will include, but not be limited to, a review of the detailed monthly statement upon submission after the requisite review by the employee. The detailed monthly service statements for all Board-owned cell phones, as well as invoices and payment documents related to these accounts, are public records and, as such, may be subject to disclosure and review.

Use of Board-owned Cell Phones for Personal Calls

~~The Board recognizes that in rare circumstances it may be necessary for an employee to use a Board owned cell phone for personal business. The Board generally prohibits such conduct as emphasized by this policy, but realizes there may be limited situations when such use is justified. Employees are advised not to take advantage of this provision and that repeated use of a Board owned cell phone for personal business will result in disciplinary action.~~

[NOTE: START OF SECOND SET OF OPTIONS - CHOOSE OPTION A OR OPTION B]

Option A

- [] ~~If unforeseen circumstances develop where employees must use their Board-issued cell phone for personal reasons (e.g., to let family know that the employee will be home late, etc.) it is up to the Superintendent or his/her designee to determine whether the employee should reimburse the Board.~~

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- [] ~~Employees are responsible for maintaining a log/record of the telephone numbers dialed or calls received and/or e mails, text messages or instant messages sent or received, and names of persons or businesses that were contacted, or who contacted the employee for personal reasons and provide a copy of the records to _____.~~
- [] ~~The Board will routinely audit the phone log/record provided by employees to confirm that no personal calls were made and/or to verify that the costs associated with any personal calls made by the employee (including the employee's pro rata share of the monthly service charge) are timely reimbursed to the Board.~~

Option B

- [] ~~Board owned cell phones are a public resource and may be used for Board business only. Employees are advised to obtain and carry a personally owned cell phone for personal use at their own expense. Board owned cell phones may not be used for personal uses, except in clearly urgent situations, when no other telephone is readily available, and the call is related to the conduct of official business. Thus, calls, e mails, text messages, or instant messages home notifying family of the employee's whereabouts, etc. when required to work extended hours shall be considered business related. Such communications should be kept brief and to the point. Board owned cell phones should not be misused for personal business. If an employee determines the need to make or receive a personal call on a Board owned cell phone, or send or receive a text message, instant message or e mail of a personal nature then the employee is required to pay the Board the full cost related to such activity, including the pro rata amount of the monthly service charge. Employees in such circumstances are responsible for generating their own log/record of personal communications made on the Board owned cell phone, reviewing the monthly statement to differentiate between business related and personal calls, and remitting the full amount owed for personal calls within thirty (30) days of the receipt of the monthly statement. The Board will engage in a mandatory monthly audit of the employee's records and the monthly statement to verify that reimbursements are both accurate and timely made, and to verify that the employee is charged the appropriate pro rata amount of the monthly service charge. Failure to reimburse the Board within the specified period may result in deduction of the amount due from the employee's paycheck, or final check upon termination of employment, or garnishment of wages if the employee has received his/her final check upon termination of employment.~~

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- [] ~~The Board reserves the right to withhold any unreimbursed amount from the employee's wages.~~
- [] ~~Employees will be expected to sign an agreement that allows the Board to deduct the cost of unpaid calls from the employee's paycheck.~~

[NOTE: END OF SECOND SET OF OPTIONS]

Potential Disciplinary Action/Cancellation of Board-Owned PCD

Violation of this policy may constitute just cause for disciplinary action up to and including termination. Use of the Board-owned PCD in any manner contrary to local, State or Federal laws will constitute misuse, and will result in the Board canceling the employee's privilege to use the PCD and requiring the employee to immediately return the device.

[OPTIONAL ADDITION]

Employee Use of Board-Owned Cell Phones

~~The Board will provide Board owned cell phones to certain employees who require specific equipment or similar technology to perform Corporation functions (e.g., school safety, physical plant maintenance, etc.) and expect never to use these devices for personal use. The Superintendent must approve such exceptions. Employees who qualify for this exception must submit to the Treasurer's Office monthly documentation in the form of a copy of their respective cell phone usage logs, verifying business use. The log must note the date/time of the phone call, to whom the call was placed or from whom the call was received, a brief statement of the purpose of the call, () and if the cell phone has wireless Internet/data service, a statement that all use of the wireless Internet/data service was business related. The employee's immediate supervisor will be required to approve all charges, attesting that all calls were business related, by initialing the copy of the usage logs. If an employee fails to keep current with this documentation requirement, s/he will be required to return the Board owned cell phone.~~

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[SELECT ONE OF THE FOLLOWING]

- ☐ If a personal call inadvertently occurs, restitution must be made to the Corporation.
- ☐ If the employee uses the Board-owned cell phone for personal business,
- ☐ a prorated portion of that month's bill, which is related to the employee's personal use of the device, will be treated as compensation for the employee.
- ☐ The employee will be required to reimburse the Corporation for a prorated portion of that month's bill, which is related to the employee's personal use of the device.

[END OF OPTIONS]

☐ **~~Reimbursement for Business Calls on Personally Owned Cell Phone~~**
~~[NOTE: SELECT ONE OF THE TWO OPTIONS OFFERED BELOW.]~~

- ☐ If a Board employee's job duties do not include frequent need for a cell phone, the employee is not eligible to receive a Board-provided cell phone. Such employees, however, may request reimbursement for the actual extra expenses of business-related calls that are made/received on their personally owned cell phone. Reimbursement for per minute "air time" charges is limited to the total overage charge shown on the invoice; expenses for minutes included in the employee's personal plan will not be reimbursed. The employee should make personal payment to the provider, and then submit a request for reimbursement, which details the date/time of the call, to whom the call was placed or from whom the call was received, and a brief description of the purpose of the call. A copy of the employee's cellular telephone service bill must be attached to the request for reimbursement (the employee () may () should redact any personal calls from the bill prior to submitting it). Business calls made on school property should be made from traditional land line phones, when readily accessible, and therefore will not be reimbursed if made on a personally owned cell phone.

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- [] ~~When authorized in writing by the Superintendent the cost of using a personally owned cell phone for official business may be reimbursed to the employee. Having a personally owned cell phone is a choice the employee makes, and if the device is used for business purposes, any reimbursement will be for reasonable costs in excess of the base service plan plus any additional charges such as roaming fees or other fees and taxes incurred as a direct result of the business use. In no instances will the employee be reimbursed more than the monthly cost to the employee. To receive the reimbursement, the employee must document the inbound/outbound telephone number, name of person called, texted, or e mailed or the individual who called, texted or e mailed the employee, and the date and purpose of the communication along with the original service plan bill.~~