



## **RULES FOR DISTRICT CELL PHONE USE**

All cellular telephone service for District use must be obtained by the Contracting & E-Rate Services Department from the District's awarded Service Provider.

1. District cell phones are provided specifically to carry out official District business when other means of communication are not readily available.
2. The **Internal Revenue Service** has issued regulations, and is enforcing taxable income requirements for employees using employer issued cell phones and handheld devices.

**District cell phones may not be used for routine personal communication other than the exceptions below:**

- **Personal use of a District owned cell phone is limited to making or receiving calls for emergencies only.**
- **Emergencies for personal use include contacting a family member or child care provider, should the employee be late arriving home or picking up children for a reason directly related to his/her official District duties, e.g., a meeting which runs later than expected or a last minute schedule change.**
- **All other personal calls should be made on district landlines or personal cell phones.**
- **Any charges incurred for the convenience of the employee (e.g. non District business related Wireless Web or Roaming Charges) are the sole responsibility of the employee.**
- **Services not covered by District rate plans are charged at higher rates; these include ring tones, games, directory assistance, and other "convenience" applications. Examples:**
  - **Directory Assistance – \$1.99 per call**
  - **Roaming Charges out of US – \$1.00 per minute**
  - **International Text Messaging - \$.25 per message**
  - **Maritime Service Charges - \$.50 per minute**
  - **App Downloads - \$1.00 or more**
  - **Ring tones and Game Charges - \$1.00 or more**
- **The District reserves the right to charge employees for these costs.**

3. Employees issued a district cell phone are responsible for its safe keeping at all times. **Defective, lost or stolen cellular telephones are to be reported immediately to the Contracting & E-Rate Services Department who will in turn notify the service provider.**

4. Employees who change locations must notify Contracting & E-Rate Services. District cell phones are not to be transferred to another employee without permission from Contracting and E-Rate Services.

5. **Cell Phone use while driving a school bus or any district vehicle is prohibited.** Use of communication devices must be hands-free while driving any vehicle, in compliance with State Law.

6. Employees are expected to carry their district cell phone, and keep it charged and available for use during their normal working hours. District cell phones are not to be loaned to others.

7. Employees who have valid, work-related reasons to make international calls are instructed to contact Contracting & E-Rate Services for participation in an appropriate rate plan to minimize costs to the District.

8. The District reserves the right to review and question employee use of District provided devices. **Employees who abuse cellular and/or communication privileges are subject to charges, discipline, and/or surrender their District provided device.**

9. Exiting employees must notify Contracting and E-Rate Services, delete passwords and/or pass codes, and surrender their District cell phones and any accessories before their departure.

I have read, understand, and will abide by the Twin Rivers Union School District **Rules for District Cell Phone Use**. I have also read and understand **Board Policy 3513.1 and Administrative Regulation 3513.1**, which are located on our District website. I further understand that any violation may result in the loss of access privileges and/or possible disciplinary action.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Twin Rivers USD | BP 3513.1 Business and Noninstructional Operations

### **Cellular Phone Reimbursement**

The Board of Trustees understands that cellular phones and other mobile communications devices are an efficient and important method of conducting district business and can help to ensure the safety and security of staff, students, and others, as well as helping to protect district property.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 4040 - Employee Use of Technology)

(cf. 5131 - Conduct)

The Superintendent or designee shall determine, in accordance with administrative regulation, whether an employee needs a cell phone and/or other mobile communications device in order to perform his/her job responsibilities.

(cf. 3542 - School Bus Drivers)

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

Legal Reference:

#### EDUCATION CODE

35213 Reimbursement for loss or damage of personal property

44032 Travel expense payment

48901.5 Electronic signaling devices

#### VEHICLE CODE

23123 Wireless telephones in vehicles

23125 Wireless telephones in school buses

#### CODE OF FEDERAL REGULATIONS, TITLE 26

1.132-5 Working conditions fringe benefit

Management Resources:

#### WEB SITES

Internal Revenue Service: <http://www.irs.gov>

Policy TWIN RIVERS UNIFIED SCHOOL DISTRICT

adopted: May 6, 2008 McClellan, California

revised: July 10, 2009

## Twin Rivers USD | AR 3513.1 Business and Noninstructional Operations

### **Cellular Phone Reimbursement**

The district may provide an allowance to an employee for the use of his/her personally owned cell phone or mobile communications device for district-related business. The allowance shall be based on the business requirements of the employee. The allowance shall be given to the employee, who shall be responsible for payments to the service provider.

The district may purchase cell phones or other mobile communications devices for use by employees for district-related business.

Employees who are not provided an allowance or district-owned mobile communications devices may be reimbursed for the actual expenses of business-related calls made on their personally owned equipment, in accordance with the district's expense reimbursement procedures.

The Superintendent or designee shall determine if an employee requires a cell phone or other mobile communications device for the efficient performance of his/her job responsibilities. Factors that will be considered include, but are not limited to, whether the employee's job responsibilities require:

1. An ability to communicate frequently and access to a district telephone is not readily available
2. An ability to communicate immediately to ensure the safety of district staff and students, or the security of district property
3. An ability to be accessible due to frequent travel or work outside of the office

The Superintendent or designee shall develop a uniform system for identifying employee cell phone or mobile communications device needs and the most cost effective method of providing necessary equipment to employees. He/she shall also develop a system for monitoring employee use and reimbursement of costs.

If an employee misuses the cell phone or other mobile communications device or leaves district employment, he/she shall be responsible for fees or charges associated with cancellation of the service contract.

If the Superintendent or designee determines that an employee no longer needs a cell phone or other mobile communications device to perform his/her job responsibilities, any fees or charges associated with cancellation of the service contract shall be the responsibility of the district.

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

### **Documentation of Records for Tax Purposes**

The district provides for rate plans to accommodate average cell phone service use as would be reasonable for work related purposes. Minutes are pooled and shared to maximize use of the rate plans and prevent overages at higher rates. Employees who are given district-provided cellular devices are required to maintain their devices and carry them during their normal work schedules. After hour availability may be required for work-related purposes, and to help facilitate the district's emergency response system. Personal use of cellular devices is discouraged and has been determined

taxable as an employer-provided benefit by the IRS. Currently, tax law indicates that employees may be responsible for taxes on the portion of costs related to personal use. Employees are referred to Twin Rivers Unified School District Cell Phone Procedures for further instructions and limitations for use of district-provided cellular devices.

Regulation TWIN RIVERS UNIFIED SCHOOL DISTRICT

approved: May 6, 2008 McClellan, California

revised: July 10, 2009