



Adopted: May 10, 2010

Revised: September 11, 2017

426 ACCEPTABLE USE GUIDELINES FOR CELLULAR WIRELESS DEVICES

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for school district acceptable uses of cellular wireless devices.

- A. Define when an employee qualifies for payment of cellular business expenses through a supplemental compensation allowance.
- B. Reduce district-liable cellular wireless device uses where possible.
- C. Transfer the ownership and responsibility for contracts and equipment from the District to the employee.
- D. Reduce administrative burden associated with processing these expenses.

II. GENERAL STATEMENT OF POLICY

Except for circumstances noted under "Special Situations", the District will no longer supply cell phones or reimburse employees for ongoing business expenses related to cellular devices (Personal Digital Assistants (PDA) or phones with cellular Internet capability (Smartphone)). Instead, district employees who meet the eligibility requirements will be given a predetermined amount of supplemental compensation to cover the approximate monthly cost of either a cell phone or Smartphone. The eligibility requirements will determine which supplemental amount an employee will receive.

District employees who qualify for and receive supplemental compensation will be responsible for acquiring and maintaining their equipment. In addition, contracts entered into by qualifying employees will be personal contracts that will be the responsibility of the employee, not the District. For those who qualify, this policy authorizes a \$45 monthly supplemental taxable compensation for cell phones, or a \$90 per month supplemental taxable compensation for a Smartphone data plan. The payments will be spread across pay periods through payroll. Employees who receive monthly supplemental compensation may not also receive reimbursements for any cell phone or Smartphone equipment expenses.

These new guidelines will ensure regulatory tax compliance relating to cell phones and Smartphones. The current tax laws require documentation of all business use of cell phones and Smartphones when paid for by the District. This policy will effectively remove this documentation requirement when a taxable allowance is provided to the employee rather than the District paying for these benefits directly. Accordingly, this policy will minimize the compliance risks associated with state and federal tax laws and regulations.

III. ELIGIBILITY REQUIREMENTS

Eligibility requirements for wireless cellular service ensure that the use of a cell phone or Smartphone by an employee is for the benefit of the District, rather than the convenience of the employee. Specifically, district employees are eligible to receive either a District purchased cell phone or supplemental compensation if they are preapproved by the Superintendent and the employee's Principal/Supervisor. In addition, the employee's job must require him or her to be readily accessible for frequent contact with the public or with district faculty, staff or students, and there are limits to the employee's access to regular land-line telephones that would satisfy the required business communication needs.

IV. ESTABLISHING THE SUPPLEMENT

When an employee qualifies for supplemental compensation for their cellular or Smartphone, the following procedures are applicable:

- A. The Superintendent and Principals/Supervisors will determine if the employee meets requirements for supplemental compensation, as stated above.
- B. The appropriate Principal/Supervisor must approve the supplement.
- C. The Principal/Supervisor complete the *Acceptable Use Guidelines for Wireless Devices Form* (attached) as follows:
 - a. Employee Name, Building Name, and Supervisor Signature
 - b. Wireless Service Option Selection
 - c. The appropriate account code to charge the equipment as specified by the Principal/Supervisor to be used for this supplement.
- D. Documentation to support the decision to grant supplemental compensation must be included on the Application.
- E. Supplements for reimbursement will be set up within the payroll system to begin on July 1 and expire on June 30 of each fiscal year.
- F. Principals/Supervisors must conduct an annual review and document the continued business need for the supplement in addition to documenting their approval.
- G. The cost of the supplements should be included in the departments' budget.
- H. Employees receiving supplemental compensation are required to maintain and update cellular contact information with the Human Resources Office.

V. MONTHLY CELLULAR BILL REVIEW AND ANNUAL SERVICE REVIEWS

Authorization for supplemental compensation must be reviewed and renewed annually and must be authorized by a Principal or Supervisor, as well as the employee. Direct billing of employee expenses for personal liable cell phones/minutes is no longer allowed. This is because of the administrative burden associated with providing sufficient business documentation for IRS tax purposes, as well as the desire to standardize the payment methods. Employees who have significant business use of cell phones or mobile technology devices should work with their Principals/Supervisor to determine if they qualify for the monthly supplemental compensation.

VI. EQUIPMENT COSTS

Employees who are eligible for supplemental compensation are expected to absorb the cost of the equipment (most cellular carriers offer numerous contracts with free or low cost phones). In all cases, the employee assumes ownership and all maintenance responsibility for the equipment. Schools/Departments are not allowed to establish guidelines that differ from these District-wide guidelines.

VII. TRANSFERRING CONTRACT TITLE FROM THE DISTRICT TO THE EMPLOYEE

Principals/Supervisors are to implement these guidelines and process changes immediately, and work with the applicable employees to transition or discontinue existing cell phone contracts to the individual no later than the end of the current fiscal year. The major cell service providers do not charge a fee for this transfer, but may require establishing a new contract. If encountering a provider that does charge for transferring the contract to the employee, the department may choose to pay the transfer fee or complete the transfers at the earliest date that allows the District to avoid the fee. No renewals or extensions of existing arrangements are allowed.

VIII. SPECIAL SITUATIONS

A. District Owned Cell Phones and Contracts

Certain programs may have special needs that justify district-ownership of cell phones. Delivery drivers, maintenance personnel, custodians, and security, are examples, where phones are assigned or rotated among employees. Staff may qualify for only intermittent and temporary use of district-owned cell phones, when their Principal or Supervisor determines there is a valid documented business need. Employees are expected to use district-owned cellular telephones responsibly and in accordance with these guidelines and any applicable work rules. **Personal use of district-owned cell phones is not allowed.** All district-owned cell phones' monthly statements will be reviewed periodically. If an employee leaves the District, they must return their cell phone on their last day of work in the District.

B. Changing or Discontinuing the Supplement

If there is a change in an employee's responsibilities that would disqualify them from continuing to receive the allowance, the department must contact the Finance Office immediately to cease the supplement, effective with the date that their responsibilities changed.

C. Pagers

Some departments currently use pagers for their communication needs. Since the cost of pagers is very nominal and because potential personal use does not pose a financial risk to the District, it is recommended that departments pay for pagers directly; therefore, eliminating the reimbursement of these expenses.

D. Employee Safety

District employees are discouraged from using a cellular device while operating a motor vehicle in the conduct of school district business, except for the purpose of obtaining or rendering emergency assistance.

IX. OPTIONS

As an employee of South St. Paul Public Schools, Special School District No. 6, you are required to have a cell phone and/or pager as a tool to conduct school business to fulfill your job responsibilities. If you have a district issued cell phone or pager, it is presumed that these phones and pagers have and will continue to be used for business calls only and not for personal use. The District is exempt from Federal Excise Tax and Minnesota sales tax ONLY when personal use of cell phones and pagers are prohibited.

Users that are eligible and choosing the Smartphone option must have devices with the following capabilities:

- Exchange Active Sync compatible – Blackberry devices are not supported
 - Windows mobile software meets this criteria
 - List of supported Smartphone are available in the District Office or online
 - Other phones may meet this criteria
- Internet data plan on their device

In order to ensure we are complying with applicable state and federal laws, the District will be giving employees who are required to have a cell phone and/or pager the following options:

A. Option 1 – District Provided Services

When a job position requires the need for the use of a cell phone and/or pager and the dollar amount for this phone and service is paid directly by the District, the only purpose for the use of this phone is for business calls only. **NO personal use may ever occur.**

B. Option 2A – Discontinue Use of District Liable Cell Phone and Receive a \$45 a Month Supplement

Discontinue use of district liable cell phone and receive a \$45 per month supplement to be used towards district use of a Personal Liable cell phone, including voice and data services, excluding hardware expenses.

C. Option 2B – Discontinue Use of District Liable Cell Phone and Receive a \$90 per month Supplement

Discontinue Use of district liable cell phone and receive a \$90 per month supplement to be used towards district use of a Personal Liable Smartphone device, including voice and data services, excluding hardware expenses.

D. Option 3 – Exchange Active Sync Mobile Services

Personal liable cell phone, staff not eligible for supplemental compensation, or District Liable cell phone choosing to connect Smartphone to school district resources through Exchange Active Sync.

Before requesting the Exchange Active Sync Mobile Services, users need to verify with their device provider, that the device meets the capabilities listed above. The Acceptable Use Guidelines for Wireless Devices form must be completed, signed, and submitted to the District's Finance Office. Technology Department staff will provide the credentials and information to enable Exchange Active Sync on the account. Beyond providing this information, the Technology Department is not responsible for support of Personal Liable cellular phones.

ACCEPTABLE USE GUIDELINES FOR WIRELESS DEVICES FORM

I agree to the following (by checking each agreement box and signing on the reverse side of this form):

- For Smartphone devices, a password must be set by the user and will be required to wake the device from sleep.
- The password on Smartphones is set on the device itself and not when the user actually accesses district email; therefore, I will not share my device (and, therefore, the password) to anyone, including family members, since doing so will allow unauthorized access to my district email account.
- I agree that I am solely responsible for backing up my personal data in the event a wipe is necessary and that I will not hold South St. Paul Public School staff responsible for recovering any data lost.
- In the event that the personal device is discontinued, lost, or stolen, I agree to notify the Technology Department as soon as possible so the device can be wiped of all district data. I understand that wiping the device will reset the device back to the default settings, e.g., all contacts, pictures, customization, etc. will be removed, whether personal or not.
- I agree that the District can also wipe the device of all data when requested by the Human Resources Department due to a personnel matter, and that all information will be removed, whether personal or not.
- I am aware that, upon leaving the District, my device will be wiped and that all information will be removed, whether personal or not.
- I understand that I am solely responsible for costs associated with any Smartphone data plan; the District will not reimburse for that cost.
- I understand that South St. Paul Public Schools staff is not responsible for supporting my personal mobile device. I will contact my device provider if I have questions on setup or operation of my device.

I agree that this capability is a privilege. I have read and will adhere to all terms and conditions set forth in the South St. Paul Public Schools Acceptable Use Policy and Guidelines Documents when using my device for business purposes.

Please return this form along with the following signed statement to the Finance Department. This form is required to be on file at the District Office for audit compliance.

