

INDEPENDENT SCHOOL DISTRICT 196
Rosemount-Apple Valley-Eagan Public Schools
Educating our students to reach their full potential

Series Number 704.1AR Adopted January 2010 Revised June 2019

Title Cellular Devices

1. Overview

- 1.1 Timely and accessible communication is critical to the safe and efficient operation of District 196 schools. Certain employees may be required to use cellular devices (cell phones or smartphones) when it is determined by their supervisor and their director that use of such a device is necessary for the proper operation of the district's business.
- 1.2 District-owned cellular devices may be justified for a few positions within the district. Most cellular devices, however, will be employee-owned. Two levels of supplemental compensation may be provided to qualified employees at the discretion of their supervisor in limited circumstances.

2. Employee-owned Cellular Devices

- 2.1 Qualifications for Supplemental Compensation – In limited circumstances, the supervisor (principal or coordinator) and director of an employee whose position meets the following requirements may choose to qualify the employee for supplemental compensation of their employee-owned cellular device:
 - 2.1.1 The employee must be away from his/her normal worksite on a frequent basis;
 - 2.1.2 The employee must be available for school district business beyond the normal duty day;
 - 2.1.3 The employee must communicate with various entities or individuals beyond the normal duty day, and
 - 2.1.4 The employee has considerable responsibility for students' educational and safety needs.
- 2.2 Employees eligible for supplemental compensation for their cellular device must acknowledge acceptance of the conditions in this regulation by signing Procedure 704.1P, Agreement for Use of or Supplemental Compensation for a Cellular Device.
- 2.3 Supervisors must include a rationale on Procedure 704.1P, Agreement for the Use of or Supplemental Compensation for a Cellular Device, for the decision to require the employee to use either a cell phone or a smartphone in fulfillment of their job responsibilities.
- 2.4 Supplemental compensation will be \$45 per month for cell phones and \$90 per month for smartphones.
- 2.5 Employees eligible for supplemental compensation for their cellular device must absorb all acquisition, maintenance and monthly costs associated with the device. Schools and departments are not allowed to establish guidelines that differ from this administrative regulation.
- 2.6 Procedure 704.1P, Agreement for the Use of or Supplemental Compensation for a Cellular Device, must be resubmitted annually prior to June 30 by the principal or coordinator, and the employee.
- 2.7 If there is a change in an employee's responsibilities disqualifying them from eligibility for the supplemental compensation, the principal or coordinator must notify Accounts Payable immediately to cease the supplement, effective on the last day of the employee's eligibility.

2.8 Members of the administrative District Learning Leaders group are expected to be accessible by cellular device, as needed, to meet the needs of the school district and are not eligible for supplemental compensation.

3. **District-owned Cellular Devices**

- 3.1 The supervisor (principal or coordinator) and director may determine that a limited number of jobs or programs justify the use of district-owned cellular devices. Delivery drivers, maintenance personnel, custodians and security personnel are examples of positions among which cellular devices may be assigned or rotated.
- 3.2 Employees eligible for the use of a district-owned cellular device must acknowledge acceptance of the conditions in this regulation by signing Procedure 704.1P, Agreement for the Use of or Supplemental Compensation for a Cellular Device.
- 3.3 Supervisors must include a rationale for the decision to require the employee to use a district-owned cellular device in the fulfillment of their job responsibilities.
- 3.4 Personal use of district-owned cellular devices is not allowed. Employees are expected to use district-owned cellular devices in accordance with these guidelines and any applicable work rules.
- 3.5 Monthly statements of district-owned cellular devices will be reviewed, dated and signed by the employee(s) and their principal or coordinator.
- 3.6 If an employee who has been assigned a district-owned cellular device leaves the district or the position justifying the use of the device, the device must be returned to the district on the employee's last day of work or their last day in the position.
- 3.7 Employees must report the damage, loss or theft of any district-owned cellular device as soon as possible to the employee's supervisor.

4. **Pagers**

- 4.1 Pagers will be paid for through the employee's department, eliminating the need for reimbursement of this expense.
- 4.2 Employees who use a district-owned pager must acknowledge acceptance of the conditions in this regulation by signing Procedure 704.1P, Agreement for the Use of or Supplemental Compensation for a Cellular Device.

5. **Employee Safety** - Employees who use cell phones for school district business while operating a motor vehicle are required to follow all state and federal laws pertaining to cell phone use while operating a motor vehicle and must take all necessary safety precautions to ensure safe and legal use.

6. **Security** – In accordance with Administrative Regulation 407.7AR, Acceptable Use of Information Technology-Employees, and state and federal privacy laws, encryption or password protection should be used to safeguard student information and other private or confidential information stored on cellular devices, whether district owned or employee owned.

References: - 20 U.S.C. § 1232g; 34CFR Part 99, Family Educational Rights and Privacy Act
- 26 U.S.C. § 274(d)(4) Disallowance of certain entertainment, etc., expenses
- Minnesota Statutes 13.01-13.99, Minnesota Government Data Practices Act