

## EMPLOYEE MOBILE/CELLULAR PHONE USE

### Introduction

The purpose of employee mobile/cellular phones (“Cell Phones”) is to act as tools to conduct business and to enhance business efficiencies. 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 business.

The Superintendent or their designee shall designate those employees who will be issued a Cell Phone Stipend, Cell Phone cellular and wireless internet/data plan, and/or a fully purchased Cell Phone. When selecting which Cell Phone path is most appropriate, the Superintendent or their designee shall consider a variety of factors known as the Superintendent Selection Process.

### Superintendent Selection Process

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

- A. The need for each Cell Phone and any related service plan is clearly justified for 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. Cell Phone and wireless Internet/data service plan invoices outlining the details of usage have been reviewed for conformance with this guidance;
- E. Cell Phones are to be returned and the corresponding Cell Phone and/or wireless Internet/data service plan terminated when it is no longer justified by business requirements or job duties, the employee leaves the Corporation or position, and/or when the employee has demonstrated a disregard for this guidance or other directives or policies.

In deciding which employees should receive a Cell Phone Stipend, cellular and wireless internet/data plan, and/or a fully purchased Cell Phone, the Superintendent or their designee will consider whether their jobs duties:

- 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).

### **Employees receiving Cell Phone Stipend**

Employees receiving a Cell Phone Stipend may utilize the funds provided to purchase a Cell Phone of their choice for business purposes. Employees selected to receive a Stipend are responsible for selecting appropriate cellular and internet/data plans to accompany the Cell Phone. Likewise, each Employee is responsible for any additional charges and/or fees associated with the Cell Phone and/or cellular and internet/data plan in excess of the stipend provided.

### **Employees on Cell Phone Cellular and Internet/Data Plan**

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 a number of minutes, coverage, and local call zone most nearly matching the employee's recurring job duties 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 job duties need shall be utilized.

Employees provided a cellular and/or internet/data plan may be responsible for purchasing and providing their own Cell Phone to utilize the plan.

### **Employees Receiving a Cell Phone**

Employees receiving a Cell Phone may be responsible for purchasing and providing their own cellular and internet/data plans to accompany the Cell Phone. Choosing which cellular provider to utilize is up to the discretion of each individual employee. The employee is responsible for maintaining any and all payments for the plan accompanying the Cell Phone.

Employees are responsible for the safekeeping, care, and custody of any Cell Phone assigned to them. Further, employees are responsible for the cost of misuse, intentional or unintentional damage, or reckless loss of the Cell Phone provided to them.

Cell phone numbers provided by the Corporation, via contract with a cellular telephone service provider/vendor, are considered business numbers of the Corporation which shall remain and belong to the Corporation for its use unless otherwise changed by the service provider/vendor or as mandated by the Federal Communications Commission.

Cell Phones may not be transferred to any other employee without prior notification and approval of the Superintendent or their designee.

### **Employee Limitations and Responsibilities**

Receiving a Cell Phone stipend or possessing a Cell Phone and/or a wireless internet/data plan 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 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 applicable charges may apply for both outgoing and incoming calls.

Employees may not use their cell phone in a way that might reasonably create, in the mind of another person, an impression of being threatened, humiliated, harassed, embarrassed or intimidated. Employees are subject to all school board policies at all times when utilizing Corporation Cell Phones, Stipends, or plans provided by the Corporation.

Employees whose job responsibilities include regular or occasional driving and who use a Cell Phone for business use are expected to refrain from using their device while driving.

Cell Phone communications, including calls, text messages, instant messages, and e mails sent or received, may not be secure. Therefore, employees should use discretion when using a Cell Phone to relay confidential information, particularly as it relates to students.

Additionally, Cell Phone communications sent and/or received by a public employee or school official using his/her Cell Phone may constitute public records.

Employees are responsible for making sure no third parties (including family members) have access to records and/or information, which is maintained on a Cell Phone in their possession, that is confidential, privileged or otherwise protected by State and/or Federal law.

Cell Phones including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include but are not limited to classrooms, gymnasiums, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a Cell Phone is absolutely prohibited.

### **Maintaining Confidentiality**

Employees are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their Cell Phones.

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

### **Violations**

Violation of this guidance may constitute just cause for disciplinary action up to and including termination. Use of the Cell Phone in any manner contrary to local, State, or Federal laws will constitute misuse and will result in the business canceling the employee's Cell Phone stipend and cellular and internet/data plan, as well as requiring the employee to immediately return any issued Cell Phone.

Adopted: 08/17/22