

FALL RIVER JOINT UNIFIED SCHOOL DISTRICT

Board Policy 3513.1

Business and Noninstructional Operations

Cellular Phones and Mobil Communication Devices

The Governing Board 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.

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.

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>

Issue Date: 7/07

Board Adopted: 3/5/08

Regulation 3513.1

Individual Stipend for Cellular Telephones

An employee who must travel and is required on a regular basis to conduct business while in transit is eligible to receive a monthly cellular telephone stipend. Eligibility is determined on an individual basis, based on any one or more of the criteria below, with submission of an approved Agreement for Stipend for Cellular/Wireless Telephones.

Qualification Criteria (any one or more):

- Travels out of assigned office to remote areas on a regular basis
- Has responsibility for multiple FRJUSD sites
- Has responsibilities which require immediate response/access during and/or beyond regular work hours for emergency situations, i.e., computer system emergency or facilities emergency
- Requires the approval of the Applicant's Superintendent
- FDA device is critical for job function

- Requires the approval of the Superintendent
- Applicant's Smart phone must meet minimum requirements as outlined by Information Technology.

Stipend- \$100.00 Per Month Stipend (includes Smart Phones) Includes one-time \$100 Equipment Stipend

Guidelines:

- The employee is required to enter into and maintain a current contract with a cellular provider.
- Effective July 1, 2008, the use of hand-held cellular phones while operating a motor vehicle in California is prohibited. Employees violating this law shall be personally responsible for payment of associated fines.
- The monthly stipend is paid as part of the employee's regular pay. Statutory benefits will be calculated and paid accordingly.
- At such time as the employee is no longer required to have a cellular telephone to conduct business or terminates employment, the stipend will be discontinued. It is the Supervisor's responsibility to immediately inform Human Resources.
- Cellular telephone contracts entered into by the employee will be the sole responsibility of the employee.
- The department to which the employee is assigned shall be responsible for maintaining a sufficient budget to cover the cost of the stipend and all related statutory benefits.
- Annual review and approval by the applicant's Superintendent

Use of Office-Owned Cellular Telephones

The office will continue to purchase cell phones as part of the emergency network or for primary means of contact. These phones, because of IRS guidelines, may not be used for personal use and may not be taken off FRJUSD premises without prior supervisor approval. The initial purchase of the cellular telephone(s), accessories, and the monthly service fees are the responsibility of the department to which the telephone(s) belong. Based on IRS rules and regulations, FRJUSD cellular phones will be routinely audited to verify no personal calls are made. Departments are responsible for monitoring business use.

Effective July 1, 2008, the use of hand-held cellular phones while operating a motor vehicle in California is prohibited. Employees violating this law shall be personally responsible for payment of associated fines.

Penalty for Inappropriate Use

Employees who fail to abide by cellular guidelines shall be subject to disciplinary action, and possible revocation of the right to use District-provided mobile devices. In addition, the full cost of the mobile device and service charges will be included as taxable income to the employee.

Adopted: 3/5/08

Revision: 8/10/2011

FRJUSD MOBILE DEVICES STIPEND AGREEMENT

Employee Name: _____

Department: _____

Stipend Effective Date: _____

Device Phone Number: _____

(This number will be entered into IFAS/Escape and listed on emergency contact lists as needed)

Stipend Amount: _____

Employee Certification

I certify the above stipend will be used toward expenses that I incur for cellular phone usage for business purposes. I further certify that should I cancel or inactivate my service I will notify my supervisor and Human Resources within 5 days to discontinue the stipend payment. I acknowledge that I am personally responsible for complying with any contract entered into with a service provider and in the event that I should leave Fall River Joint Unified School District, I will continue to be responsible for the contractual obligations of the service plan.

Employee Signature

Date

Superintendent

Date _____

FRJUSD MOBILE DEVICES
EMPLOYEE USER AGREEMENT

Employee Name: _____

I understand the Fall River Joint Unified School District will provide me a mobile device only for purposes related to my employment and that such use is a privilege which may be revoked at any time. I understand that my use of the district's mobile device will be monitored. I understand the consequences for failing to adhere to the district's regulations regarding mobile devices.

I have read, I understand and I will abide by Policy and Regulation 3513.1: Cellular Phones and Mobil Communication Devices

Employee's Signature _____ Date _____

A copy of this document will be placed in the employee's personnel file.