

Purpose

To establish procedures for the assignment of an allowance for cellular telephones and other wireless, handheld mobile communication devices (collectively, "cell phones").

Eligibility

Members of the College Council are automatically eligible for an allowance under this policy. All other employees will be eligible on a case-by-case determination by the vice president, business and administrative services, and the recommendation of the employee's department head based upon the nature of work the employee performs and if the need to maintain contact with the employee during work hours and non-work hours is best accomplished by using a cell phone. Eligibility is not based on job title or personal convenience. Employees meeting the following criteria will generally be considered eligible:

- A. Facilities and critical systems employees subject to afterhours call out.
- B. Emergency responders (Incident Command System command staff and general staff, primary and first alternates only).
- C. Employees who routinely are responsible for the health, safety, and well-being of students away from the district and/or access to other communication services.
- D. Noninstructional employees who spend a considerable amount of time out of the office (more than 50 percent of the normal work week) on district business.

Eligibility for an allowance for a cell-phone device with advanced capabilities that enables routine transmission of e-mails and other data will be determined separately from a standard cell phone based on the need for an employee to have frequent access to district e-mail and calendaring software while out of the office, where using a desktop or laptop PC is not practical.

This administrative procedure is not intended to apply to PC wireless broadband cards (air cards). The district will continue to be responsible for both the initial and recurring costs associated with air cards for those employees requiring remote connectivity from a laptop to the Internet. Air cards, like laptops and PCs, are considered to be district

property. As such, all payments for the initial purchase and the monthly service charge will be made by the district directly to the vendor. Eligibility for an air card is determined by the department head.

This administrative procedure is intended to accommodate changes and advances in wireless handheld-communication technology and to limit the number of eligible employees to those where a business necessity exists.

Eligibility will be determined on an annual basis. Requests for modifying an employee's level of eligibility will also be on an annual basis.

Exemptions – District-Resident Mobile Phones

This procedure shall not apply to district-resident mobile phones that meet the following criteria:

- A. The phone does not leave the district (it may be moved among the three campuses).
- B. The phone is either not a data device connected to the campus network or, if it is a data device on the network that it meets the security requirements stated below.
- C. No personal calls are permitted except in an emergency.
- D. The phone is assigned by shift (such as night custodians) or by job function.
- E. The purpose of the phone is to communicate within the district in lieu of alternative methods such as radios and pagers.
- F. A supervisor reviews the monthly invoices to ensure there is no unauthorized personal use.
- G. The phone and service are registered and billed to the district, not to an individual.

Standard Equipment and Service Plans

The Academic Information Services (AIS) department is responsible for establishing standards for cell phones that need to communicate with the district's e-mail system. Currently supported devices will be listed on the district's website. AIS will annually review and add appropriate devices as they enter the marketplace. Devices that meet the minimum standards will be added based on the following criteria: (1) ability to remotely wipe data, (2) ability to support administrative policies, i.e. district pass-code policy enforcement, and (3) ability to securely transmit mail, calendar information, and contacts.

Eligible employees are responsible for selecting their own service provider and paying all service charges. Enterprise data plans must be included when purchasing data devices and must be updated with current software revisions as security or compatibility issues arise.

Allowances have been established with consideration to both the cost of monthly service plans and the amortized cost of standard equipment. For cell phones, monthly allowances are at three levels: (1) \$45 for employees with standard business usage (up to 400 minutes); (2) \$60 for employees with heavy business usage (900 minutes); and (3) \$80 for employees with exceptionally heavy business usage (1350 minutes). Employees authorized for a data device will receive one of the three levels of cell-phone allowances plus an additional \$45 for data service. The department head determines the level of allowance the employee receives based on business usage. When determining business usage, consideration should be given to spikes in usage the employee may regularly experience due to emergencies, shutdowns, and travel (including roaming charges). If the employee's job is such that these spikes are expected to occur on a regular or frequent basis, the employee should be assigned an allowance amount that, on average, will cover these costs. The department head may re-determine eligibility or adjust the amount of allowance for an eligible employee as needed, based on actual business usage.

In exceptional cases, as determined by the department head, an employee may be eligible for reimbursement for additional costs incurred as a result of infrequent, unanticipated spikes in business usage that were not anticipated when the allowance amount was originally determined. Reimbursement for these additional costs will be based on the allowance amounts of this policy and will normally not exceed the difference between the employee's monthly calling plan allowance and the highest level calling plan allowance established under this policy. In truly extenuating circumstances where an employee has responsibly incurred business costs that substantially exceed this amount; the department head may make a determination to reimburse the employee for some or all of these additional costs. The request must be made in writing to the department head and contain sufficient substantiation to justify an exception to the policy. The decision of the department head will be final.

The allowance will be provided to employees through the payroll system, coinciding with the first pay period of the month following the month of use.

Usage and Responsibility

Eligible employees are responsible for purchasing their own cell phone, establishing a service plan, and paying the monthly statement for their service plan. When an employee is first determined to be eligible, the employee may receive a one-time reimbursement of the cost of the cell phone, not to exceed \$50, or the cost of a data device, not to exceed \$200, upon submission of a receipt for the purchase. Additional accessories not part of the phone purchase, such as Bluetooth, are not reimbursable even if the total amount is within the one-time reimbursement limit. (See interim transition policy applicable to employees that had district cell phones prior to the date of this policy, as set forth below.)

Employees must retain an active cell phone while receiving an allowance. The phone number must be supplied to Purchasing within five (5) working days of activation. Since the employee owns the cell phone, there is no restriction on personal use. The IRS, however, considers the allowance a taxable benefit to the employee. As such, the allowance is reportable to the IRS by the district and the employee. The allowance is not an increase in base pay and will not be included in calculations of salary increases or retirement benefits.

Lost or stolen cell phones, as well as problems with the service or equipment, should be reported to the service provider. Activation or deactivation of either the equipment or the account shall be the sole responsibility of the employee.

Employees shall comply with federal and state laws including not driving a motor vehicle while using a cell phone unless the device is enabled to allow hands-free listening and talking and is used in that manner while driving.

Responsibility for Contract Cancellation Fees

If the district makes a decision that results in the need to terminate a cell phone contract, the district will bear the cost of any fees associated with early cancellation. An example of this would be a supervisor making a change in an employee's duties and the new duties no longer requiring a cell phone for district business. If the employee decides not to retain the cell phone contract for personal use, the district would be responsible for any early cancellation fees on the contract.

If a personal decision by the employee results in the need to end the cell phone contract, the employee will bear the cost of any fees associated with early cancellation. For example, if an employee quits and no longer wants to retain the current cell phone contract for personal use, the employee would be responsible for any early cancellation fees on the contract. It is also the employee's responsibility to notify AIS, Payroll and his/her supervisor of the cancellation of service and/or equipment for which compensation has been provided by the district.

Interim Procedures for Employees Transitioning from a District-Owned Cell Phone to an Individual-Owned Cell Phone

Employees may either (a) keep their district provided phone or (b) turn it in to district and individually purchase a cell phone from a service provider. Employees electing to keep their district-provided phone must follow procedures established by Purchasing to transfer ownership of the cell phone from the district to themselves. Employees who opt to turn in their district-provided cell phone and purchase a different cell phone are eligible for a one-time reimbursement up to \$50 for a regular cell phone or \$200 for a data device. Proof of purchase must be provided to the district before reimbursement will be paid.

The deadline for transition varies by department as indicated on the schedule posted on the district Web site. The transition for all employees will be completed by within sixty (60) days of the adoption of Board Policy 6450. After that date, the district will stop paying monthly cell phone invoices from service providers and will stop accepting new requests for reimbursement. During this transition period, the vice president, business and administrative services, will review and approve all requests for cell phone and data-device allowances to ensure that the standards for employee eligibility are applied consistently across all departments.

Authorization

The department head must authorize an allowance by completing and signing a Cell Phone Allowance Authorization form and submitting it through normal channels up to his/her appropriate vice president or superintendent/president. After divisional approval,

the form will be routed to the vice president, business and administrative services, for final authorization.

Responsibility

Vice President, Business and Administrative Services

Employee Data Device / Cell Phone Request

Name _____ Department _____ Extension _____

STEP 1: Submit approved Cell Phone Allowance Authorization form to Purchasing.

Cell Phone Allowance Authorization form received by: _____ (Purchasing initial),
on _____ (date)
Proceed to Step 2

STEP 2: Select an option (A or B).

- A. I have been authorized to receive a calling-plan allowance.
Proceed to Step 2A
- B. I have been authorized to receive a calling- and data-plan allowance.
Proceed to Step 2B

STEP 2A: If you have selected A in Step 2 above:

Purchase a cell phone device and calling plan. A one-time equipment reimbursement up to \$50 for a cell phone is allowed. Additional accessories (e.g., Bluetooth, car charger, leather case, etc.) are not reimbursable.

My phone number is _____.

Note:

- Purchasing maintains a MiraCosta Community College District master phone list.
- Complete and submit a check request to Accounts Payable for device reimbursement

Proceed to Step 3

STEP 2B: If you selected B in Step 2 above:

Purchase an authorized data device and calling/data plan. A one-time equipment reimbursement up to \$200 for a data device is allowed. Additional accessories (e.g. Bluetooth, car charger, leather case, etc.) are not reimbursable.

My data device provider is: Verizon AT&T Sprint T-Mobile

My phone number is _____.

Note:

- Purchasing maintains a MiraCosta Community College District master phone list.
- Complete and submit a check request to Accounts Payable for device reimbursement

Proceed to Step 3

STEP 3: Schedule an appointment with AIS for device configuration.

Device configured by: _____ (AIS initial) on _____ (date)
AIS will configure only when Purchasing has initialed Step 1.
Proceed to Step 4

STEP 4: Sign and return completed form to Purchasing. Once received, Purchasing will release your Cell Phone Allowance Authorization form to Payroll.

I agree to notify AIS, Payroll, and my supervisor within five days if I discontinue cell phone or data service(s).
Employee Signature: _____ Date: _____

Note:

- Allowances are paid in arrears and will be prorated based on the signature date above.

Name _____ Department _____ Extension _____

Monthly Calling-Plan Allowance

The employee listed above is eligible and authorized to receive a monthly calling-plan allowance as indicated below:

- Standard usage \$45 (approximately 450 minutes)
- Heavy usage \$60 (approximately 900 minutes)
- Exceptionally heavy usage \$80 (approximately 1350 minutes)

Authorization is based on the criteria checked below. **(Check all that apply.)**

- Facilities and critical systems employees subject to after-hours call-out.
- Emergency responders (Incident Command System command staff and general staff, primary and first alternates only)
- Field employees
- Employee spend considerable amount of time outside the office on district business.

Monthly Data-Service Allowance (for Data Devices)

The above employee is eligible and authorized to receive a monthly data-service allowance of \$45 based on the criteria checked below: **(Check all that apply.)**

- Frequent need to receive and transmit district e-mail while outside the office, where using a desktop or laptop PC is not practical.
- Frequent need to schedule meetings using the district's calendaring software while outside of the office, where using a desktop or laptop PC is not practical.

Comments:

Department-head approval

Date

I have read, understand, and agree to comply with the district policy for cellular telephone allowance.

Employee signature

Date

Return completed form to Purchasing — Business Services Department

(Superintendent/president signature required during initial policy transition phase.)

Superintendent/president's approval

Date