

Chapter 10

10.18 Board Issued Cellular Devices & Cellular Device Stipends - Established July 2015 (Revised 1-9-18)

10.18.1 Rationale

The purpose of this policy is to define the use of Marshall County Board of Education issued cellular devices and cellular device stipends.

10.18.2 Cell Phone Coordinator

The Business Manager shall be the coordinator for cell phone distribution and use. The Superintendent shall determine which employees are eligible to receive board issued cellular devices or a cellular device stipend.

10.18.2.1 Cell Phone Coordinator Responsibilities

- Monitoring participation of cell phone users
- Monitoring proper completion of request forms
- Monitoring use and alerting the superintendent to possible violations
- Organize and process phone requests

10.18.3 Cell Phone Request

For employees that the Superintendent determines that a board issued cellular device may be an option, A *Cell Phone Service Request* will need to be completed by the employee that details out the reasons that an employee requires a cell phone and internet service if applicable. Both the employee and his or her Director or Supervisor will be required to authorize this request.

10.18.4 Optional Plans

A nontaxable (consistent with the most recent Internal Revenue Service Regulations regarding employer-provided cellular phones) cellular device stipend will be paid through payroll to all administrators who wish to use their own phone for a work contact. The taxability of this reimbursement is subject to change in accordance with subsequent Internal Revenue rulings. The Superintendent will determine on a case by case basis any additional requests for this benefit. Employees offered the cellular device stipend may opt to have the board issued cellular device but should note that these devices are owned by the Board of Education. As such, they will be required to be returned if or when the employees retires or takes a position not covered by this policy. It should also be noted that the board issued cellular devices will be the devices that the County can purchase for free or the lowest nominal fee. In the event that a cell phone other than the lowest fee is needed by the user, a written request must be made that justifies the need. The superintendent may approve or deny this request.

10.18.5 Termination of Board Issued Cellular Device

Use of a board issued cellular device or payment of a cellular device stipend is a privilege that may be revoked at any time for inappropriate conduct. The following actions may warrant the termination of a board issued cellular device or a cellular device stipend: budgetary issues that make the device/stipends unaffordable; use of the device to violate a board policy or any government law or regulation; use of the device to harass or annoy others; excessive personal use during working hours.

10.18.6 Liability, Laws, and Fees

All users must abide by state and municipal laws regarding the use of cellular devices while driving. Employees who are charged with traffic violations resulting from the use of their cellular devices while driving will be solely responsible for all liabilities that result from such actions and may lose this benefit being provided by the County.

Devices owned by the Board of Education are subject to all Freedom of Information Act (FOIA) requests, which may include all communication records - bills, texts, and details of calls. Employees with a cellular stipend for business use of their personal cellular device will receive a nominal non-taxable stipend of \$100 per month. Employees requesting the cellular device stipend must attach to the authorization request form a copy of their most recent personal cell phone bill. No retroactive reimbursements are permitted.

It is the employee's duty to exercise reasonable judgement to safeguard the board issued cell phone against loss, damage, theft, or use by other people. Employees are responsible for replacement cost of lost or damaged cell phones, provided the damage or loss was not a direct result of work. The Marshall County Board of Education assumes no liability for loss or damage of an employee's personal cellular phone carried in board vehicles or theft on Board property.