

CELL PHONE POLICY**8332.00. Statement of Policy**

The Board of Education recognizes that the District's purposes and needs are served by the ability to communicate immediately and efficiently with District employees and that use of a cell phone or similar telecommunication device may be efficient and effective, and may be necessary or critical in certain instances. Consistent with the Board's obligation to ensure that District resources are expended only for legitimate District needs, it is the policy of the Board that the District provide such devices at District expense to an employee when, in the judgment of the Superintendent or his or her designee, the use of a cell phone is required in order for the employee to perform assigned duties; or when communication through other, less costly means, is inefficient, unavailable or impracticable. It is the policy of the Board of Education, in addition, to require that the Superintendent or his/her designee develop and implement such procedures as will serve to adequately and accurately provide inventory and cost control; and to develop and enforce appropriate standards for the use of District cell phone and related equipment.

8332.10. Definitions

- (1) "Cell phone" for purposes of this Policy shall mean any cellular telephone, walkie-talkie, or other telecommunication or multi-function device (including, by way of example and not limitation, such items as a Blackberry, smartphones such as Treo, or similar device), and related equipment, including power converters; chargers; wireless broadband access cards and "air cards" for personal computers or lap-tops; and storage devices, for which service is provided through a vendor and paid by the District.
- (2) "Cell phone functionality" shall mean any capabilities available through the cell phone including, but not limited to, voice mail, paging, text messaging, camera, picture messaging, video, internet browsing, games, ring tones and other "downloads."
- (3) "Services" for purposes of this Policy shall mean furnishings provided by a Vendor, including but not limited to: access/usage, voice, roaming, messaging, internet, and/or equipment included, leased or sold as part of the Vendor's contract with the District.
- (4) "Vendor" for purposes of this Policy shall mean any supplier that provides cell phones, cell phone functionality or cell phone services to the District.

8332.20. Authorized Use of Cell Phones

- (1) Cell phones issued by the District pursuant to this Policy shall be used for official District business only. No personal use of a District cell phone shall be allowed except on an incidental and necessary basis. Such personal use shall be accounted for and paid for by the employee if it results in cost to the District.

(2) Cell phones and cell phone functions shall be used solely in accordance with other District policies and/or regulations, including but not limited to, Board Policy # 4526 on internet use, Policy #2160, the Employee Code of Ethics, and Policy #5300, the District Code of Conduct.

(3) Camera cell phones shall not be used for personal purposes or in violation of District policies or in violation of any local, state or federal law.

8332.30. No Expectation of Privacy: Monitoring of Cell Phone Use

Employees who use District equipment, including cell phones shall have no expectation of privacy with regard to such use, even with regard to personal use. Cell phone/telecommunication use may be monitored and/or documented or recorded, in any manner not prohibited by law, by the District at any time.

8332.40. Penalties for Improper Use

Violation of this Policy, and any regulations promulgated under it, may result in revocation of cell phones, disciplinary action in accordance with applicable collective bargaining agreements or, where appropriate with the Rules and Regulations, and, where appropriate, referral to law enforcement. All records relating to the use of cost of such equipment shall be admissible in favor of the District in any disciplinary proceeding and may be shared with law enforcement officials.

8332.50. Promulgation of Regulations

The responsibility for developing, publishing and enforcing regulations to implement this Policy rests with the Superintendent of Schools, as authorized by Board of Education Policy # 3310. Such regulations should adhere to all applicable federal or state laws and regulations. The Superintendent of Schools, with the advice and counsel of the District's Department of Law, is expressly authorized to prepare, update, maintain and implement administrative regulations. Such regulations shall crossreference this Policy, and shall be published in a manner reasonably designed to assure accessibility, such as inclusion with the Board Policy Manual on the District website.

Cross-references: Board Policy 2160 "Code of Ethics"
Board Policy 4526 "Internet"
Board Policy 1400 "Code of Conduct"

Note: Adopted 8/16/07, Resolution No. 2007-08: 153