

**DISTRICT MOBILE DEVICE USE**

The Governing Board recognizes that at times, it may be necessary for certain employees to conduct District-related business while away from their job sites or otherwise without access to the regular telephone system or computer workstation. To enhance the efficiency of operations, the Board has determined to provide a mobile device to designated employees for conducting District-related business. A mobile device may only be provided to employees upon Cabinet approval. Mobile devices include cell phone, PDA, pocket PC, smartphone, tablet or any other hand-held electronic device used for voice and/or data communication.

The Internal Revenue Service no longer considers mobile devices “listed property”; however, District provided devices should be used primarily as a means for conducting District business. In the event a District-owned device is used for personal use, employees will reimburse the District for any charges above the employees’ rate plan.

The Superintendent or designee shall establish administrative regulations which outline employee obligations and responsibilities related to the use of mobile devices. He/she also may establish guidelines and limits on the use of mobile devices. Inappropriate use shall result in a cancellation of the employee's user privileges, disciplinary action and/or legal action in accordance with Board policy and administrative regulations.

*(cf. 4040 – Employee Use of Technology)*  
*(cf. 4118 - Suspension/Disciplinary Action)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

The Superintendent or designee shall provide copies of related policies, regulations and guidelines to all employees who use District-provided mobile devices. Employees shall be asked to acknowledge in writing that they have read and understood these policies, regulations and guidelines.

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

*Legal Reference: (see next page)*

**DISTRICT MOBILE DEVICE USE (continued)**

*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

UNITED STATES CODE, TITLE 26

280F Limitation on depreciation for luxury automobiles, etc.

CODE OF FEDERAL REGULATIONS, TITLE 26

1.132-5 Working conditions fringe benefit

*Management Resources:*

WEB SITES

Internal Revenue Service: <http://www.irs.gov>

TAX AND REVENUE CODE

IRC § 280F(d)(4) – Listed Property

Policy  
adopted: July 10, 2007  
revised: April 24, 2012

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, California

## **All Personnel**

### **DISTRICT MOBILE DEVICE USE**

#### **User Obligations and Responsibilities**

The Superintendent or designee may establish guidelines and limits on the use of mobile devices. He/she shall ensure that all employees using these devices shall receive copies of related district regulations. Employees must sign the “User Agreement” in order to have access to district mobile devices. These devices may not be used for any purposes which conflict with the goals or policies of the school district or for illegal or unethical purposes.

Employees are authorized to use District-provided mobile devices in accordance with Governing Board policy and the user obligations and responsibilities specified below.

1. District-provided mobile devices should be used primarily for conducting District business
2. All Management employees shall reimburse the District for all monthly charges above the employees rate plan including calls outside of “included minutes”, direct-connect airtime, 411 information, text messages and other charges. The Finance Department will calculate any amount owed to the District on a monthly basis. Charges that amount to less than \$5.00 will not be billed. Charges that amount to \$5.00 or more over the employees’ rate plan will be reimbursed to the District through automatic payroll deduction. The employee will be notified if the amount exceeds \$20.00.
3. All Non-Management employees shall reimburse the District for all monthly charges above the employees rate plan including calls outside of “included minutes”, direct-connect airtime, 411 information, text messages and other charges. The Finance Department will forward the monthly billing to the appropriate department for review of the employees’ monthly charges. Employees shall reimburse the District for the actual cost of charges above the employees’ rate plan on a monthly basis.
4. The Board hereby delegates to the Superintendent, or designee, the final authority to resolve disputes regarding whether charges relate to the conduct of District business, except that the Governing Board shall have final authority in resolving disputes involving the Superintendent’s use of a District-provided device. Should the Superintendent, or designee, find that a disputed charge was not related to District business, the employee shall reimburse the District.

**DISTRICT MOBILE DEVICE USE (Continued)**

5. The District will not offer stipends for employees who use their personal device for district business. Employees with previously approved stipends may continue to receive their stipend until the end of their contract period. At that time the stipend will be discontinued and the employee may receive a District device.
6. All employees must use an approved hands-free device when operating their mobile device while driving a motor vehicle.

**Penalty for Inappropriate Use**

Employees who fail to abide by the “User Obligations and Responsibilities” shall be subject to disciplinary action, and possible revocation of the right to use District-provided mobile devices.

*Legal Reference:*

EDUCATION CODE

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Internal Revenue Service: <http://www.irs.gov>

Regulation

approved: June 18, 2007

revised: August 24, 2007

revised: March 8, 2012

**VISALIA UNIFIED SCHOOL DISTRICT**

Visalia, California

**DISTRICT MOBILE DEVICE USE  
MANAGEMENT EMPLOYEE USER AGREEMENT**

Employee Name: \_\_\_\_\_

I understand that the 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 may be monitored at any time without advance notice or consent. I understand the consequences for failing to adhere to the district’s regulations regarding mobile devices.

I further agree that any charges in excess of the established rate plan will be deducted from my pay on a monthly basis through automatic payroll deduction.

I have read, understand and will abide by the following regulations:

1. District Mobile Device Use, BP 4041
2. District Mobile Device Use, AR 4041
  - User Obligations and Responsibilities
  - Penalty for Inappropriate Use

Employee’s Signature \_\_\_\_\_ Date \_\_\_\_\_

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

Exhibit  
approved: June 18, 2007  
revised: March 8, 2012

**VISALIA UNIFIED SCHOOL DISTRICT**  
Visalia, California

**DISTRICT MOBILE DEVICE  
STIPEND AGREEMENT**

Employee Name: \_\_\_\_\_

Department: \_\_\_\_\_

Budget Number: \_\_\_\_\_

Stipend Effective Date: \_\_\_\_\_

Device Phone Number: \_\_\_\_\_

(This number will be listed in the VUSD Employee Directory)

Stipend Amount: \_\_\_\_\_

**Employee Certification**

I certify that 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 inactive my service I will notify my supervisor and the Finance Department 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 the district, I will continue to be responsible for the contractual obligations of the service plan.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Division Assistant Superintendent

\_\_\_\_\_  
Date