

## CHAPTER 6.00 – HUMAN RESOURCES

### CELLULAR TELEPHONE ALLOWANCE AND USE PROGRAM FOR EMPLOYEES

6.321+

- (1) The School Board has determined that the implementation of a district Cellular Telephone Allowance and Use Program would serve a valid district purpose and would authorize the payment of certain school district funds within the authority of the Board in order to insure a cost effective and efficient means of mobile communication for and with certain designated school district employees or personnel in the course and scope of their duties. This policy will also enable the school district to comply with IRS rules regarding the taxability for employee cellular telephone services. The expenditure of public funds for cellular phones or service, personal digital assistants (PDAs), or other mobile wireless communication devices or service shall be consistent with the provisions of Florida Statutes.
- (2) The district shall provide and pay directly for certain identified district communication services as may be necessary to fulfill district responsibilities and/or requirements. The district will pay extra compensation in the form of a cellular telephone allowance to cover business-related costs to other designated district employees or personnel as are approved by the Superintendent or his/her designee based upon one or more the following criteria:
  - (a) When immediate communication between staff and other public agencies is required in the event of an emergency or another matter requiring contact.
  - (b) Safety requirements indicate having a cellular phone is an integral part of performing duties of job description.
  - (c) More than 50% of employee's work is conducted in the field.

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- (d) When the employee needs to be readily and consistently accessible, both during and outside of normal duty times;
  - (e) Employee is a critical decision maker.
  - (f) When the employee is off-site, out of the district, and/or when conventional telephones are not readily available or are impractical.
- (3) Cellular telephone allowance rates will be based on the employee job requirements and/or responsibilities within the district. Monthly allowances will be based on job levels or classifications as listed below:
- (a) **Level 1:** Superintendent and district level administrators (directors, coordinators, supervisors)
  - (b) **Level 2:** School based administrators, designated maintenance personnel, designated transportation personnel
  - (c) **Level 3:** Other designated district or school based personnel as approved by the superintendent or his/her designee
  - (d) **Level 4:** District provided communication devices paid for directly from district resources to meet district responsibilities and/or requirements. Included in this level will be communications devices used by bus drivers to communicate directly with transportation supervisors, school administrators, bus barn personnel, and the transportation secretary. Also included will be communication devices used to monitor school buses.

Actual reimbursement amount will be based on the rates from the state bid for cellular services and on those expanded services as may be required for designated personnel such as email/data access, internet access, and direct

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connect service. The dollar amount of the cellular telephone allowance should cover the employee's projected business-related expenses.

- (4) Safe use of all wireless devices is of the utmost importance. Precautionary measures should be used if it becomes necessary to use the wireless device while driving. Under no circumstances are the employees allowed to place themselves or others at risk to fulfill WCSB business needs. Employees who are charged with traffic violations resulting from the use of a cellular telephone or wireless device while operating a vehicle will be solely responsible for all liabilities that result from such action. A wireless device/cellular telephone may not be used to defame, harass, intimidate, or threaten any person or persons. Employees are also prohibited from using their wireless device/cellular telephone in any illegal, illicit, or offensive manner.
- (5) The following restrictions must be adhered to:
  - (a) The use of a cellular telephone by any school bus operator while actively driving the bus is prohibited.
  - (b) In case of an emergency, the school bus operator shall pull off the road to a safe location before using the cellular telephone.
- (6) Failure to follow this policy may result in disciplinary action including suspension or termination from employment.

### STATUTORY AUTHORITY:

**1001.41, 1001.42, 1012.22, 1012.23, F.S.**

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### LAW(S) IMPLEMENTED:

1001.43, 1011.09, 1012.27, F.S.

### HISTORY:

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FORMERLY: NEW