

**CELLULAR TELEPHONE ALLOWANCE AND USE PROGRAM FOR
EMPLOYEES 6.321+**

The purpose of these procedures is to address cellular telephone services and other wireless communication devices as an effective means of conducting Washington County School Board business and to establish and communicate the operational rules of such to each department and user. The Superintendent or his/her designee is responsible for designating employees who will be required to carry a cellular telephone or other wireless communication device. Each department or school is to review the actual communications need for employees in their area or school.

The district has determined that the positions or employee categories listed below have the need for cellular telephone or wireless communication capabilities. It has been determined that varying job responsibilities require different communication capabilities within the district. In recognition of this, the following categories have been established.

- (1) **Level 1:** District Level Administrators (Also includes other personnel with district-wide responsibilities) Personnel in these positions must obtain and maintain cellular telephone services and it is recommended that these services also include direct connect and data capabilities. Personnel in these positions will receive a monthly allowance to obtain and maintain cellular telephone services.
- (2) **Level 2:** School Level Administrators, Designated Maintenance Personnel, Designated Transportation Personnel (Also includes other personnel with district-wide responsibilities) Personnel in these positions must obtain and maintain cellular telephone services and it is recommended that these services also include direct connect capabilities. Personnel in these positions will receive a monthly allowance to obtain and maintain cellular telephone services.
- (3) **Level 3:** Other designated district or school level personnel as approved by the superintendent or his/her designee. Personnel in these positions must obtain and maintain cellular telephone services. Personnel in these positions will receive a monthly allowance to obtain and maintain cellular telephone services.
- (4) **Level 4:** District provided communication devices paid for directly from district resources. Personnel who are provided communication devices in this level will receive no allowance as devices will be restricted to only business related use or service. The school district will be responsible for obtaining and maintenance of all services and equipment.

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(5) Cellular Telephone Allowance Program Guidelines

- (a) The district shall pay extra compensation in the form of a cell phone allowance to cover business-related costs to those of its employees in Levels 1, 2, or 3 above as are approved by the Superintendent or his/her designee based upon one or more the following criteria:
 - i. Safety requirements indicate having a cellular phone is an integral part of performing duties of job description.
 - ii. More than 50% of employee's work is conducted in the field.
 - iii. Employee is required to be contacted on a regular basis.
 - iv. Employee is required to be on-call (24/7).
 - v. Employee is a critical decision maker.
- (b) The dollar amount of the cell phone allowance should cover the employee's projected business-related expenses. The employee will provide a personal cell phone that would be available for business use both during and after normal business hours. The cell phone plan chosen by an employee should be the least expensive that provides adequate business-related services. Upgrades to basic equipment (special cosmetic or technical features, etc.) or expected cell phone use unrelated to business is at the employee's expense. The dollar amount of the cell phone allowance shall be that as established in a district employee cell phone allowance schedule to be approved by the Board from time to time.
- (c) If superintendent or his/her designee determines that a district employee's job duties include the frequent need for a cell phone, then the employee may be eligible for an allowance to cover cell phone expenses. It may be requested using the "Cellular Telephone Allowance" form. The request may be made any time during the fiscal year. All requests will be reviewed by the Superintendent or his/her designee who shall have the authority to approve or deny a requested allowance. This policy does not establish a right in any employee to receive a cell phone allowance. No instructional employee may be required, as a condition of employment, to accept a cell phone allowance. All allowances will be paid monthly via payroll. The monthly stipend is taxable income; therefore the individual will be taxed according to the IRS code.
- (d) This allowance does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades, bonuses, benefits based on a percentage of salary, etc. Allowance will be subject to all applicable taxes.

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- (e) Although the allowance is taxable, it is believed that the benefits to the employee outweigh the costs. The benefits include: 1) a log is not required; 2) no monthly reporting is required; 3) cell phones may be used for personal calls and be combined or enhanced with other personal plans.
- (f) Principals and supervisors are responsible for an annual review of employee business-related cell-phone use, to determine if existing cell phone allowances should be continued as-is, changed, or discontinued. The Superintendent or his/her designee shall be contacted if there are any changes to the allowance.
- (g) The district will pay only the agreed upon cell phone allowance even if monthly costs exceed the allowance. If the amount of the allowance subsidy needs to be changed because of documented business purposes, the employee will need to ask his/her supervisor to request an adjustment to the cell phone allowance and submit the required form.
- (h) The cell phone contract will be in the name of the district employee who will be solely responsible for all payments to the service provider. Only one cell phone allowance will be provided per employee. The Board reserves the right to remove a participant from this plan if there is insufficient budget in the designated fund to meet the cost of monthly allowances.
- (i) The Board does not accept any liability for claims, charges or disputes between the service provider and the faculty or staff member. Recipients of a cell phone allowance must notify the district of the cell phone number and must continue to maintain the cell phone while in receipt of the allowance.
- (j) Because the cell phone is owned personally by the employee, and the allowance provided is taxable income, the employee may use the phone for both business and personal purposes, as needed. The employee may, at his or her own expense, add extra services or equipment features, as desired. If there are problems with service, the employee will need to work directly with the carrier for resolution.
- (k) Use of the cell phone in any manner contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination of the cell phone allowance.
- (l) If, prior to the end of the cell phone contract, a personal decision by the employee, or employee misconduct, or misuse of the phone, results in the

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need to end or change the cell phone contract, the employee will bear the cost of any fees associated with that change or cancellation.

- (m) If, prior to the end of the cell phone contract period, a school or departmental decision (unrelated to employee misconduct) results in the need to end or change the cell phone contract, the school or department will bear the cost of any fees associated with that change or cancellation. For example, the employee's supervisor has changed the employee's duties and the cell phone is no longer needed for business purposes. If the employee does not want to retain the current contract, change or cancellation fees will be reimbursed by the school or department.
 - (n) The Superintendent shall develop and enforce a set of administrative procedures and guidelines to implement the provisions of this policy. Such procedures and guidelines may be revised by the Superintendent as he/she determines necessary for the continued effective administration of the Cellular Telephone Allowance Program established by this policy.
- (6) **Enforcement:** Failure to adhere to the terms and conditions of this policy or the Cellular Telephone Allowance Program Administrative Guidelines as authorized by this Procedure, may result in disciplinary action including but not limited to (i) reimbursement to the district by an employee of cell phone allowance funds received, and (ii) revocation of an employee's approved cell phone allowance.

ADOPTED DATE: 04/14/08 (To be effective 01/01/08)

REVISION DATE: 04/12/2010