

CELLULAR PHONE REIMBURSEMENT

The Governing Board understands that cellular phones and other mobile communications devices are an efficient and important method of conducting district business and can help to ensure the safety and security of staff, students, and others, as well as helping to protect district property.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 4040 - Employee Use of Technology)
(cf. 5131 - Conduct)

The Superintendent or designee shall determine, in accordance with administrative regulation, whether an employee needs a cell phone and/or other mobile communications device in order to perform his/her job responsibilities.

(cf. 3542 - School Bus Drivers)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

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

CODE OF FEDERAL REGULATIONS, TITLE 26

1.132-5 Working conditions fringe benefit

Management Resources:

WEB SITES

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

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When a district employee's position requires frequent use of a cell phone, the Superintendent or designee shall provide either a cell phone for the employee's use or an allowance to the employee for the business use of his/her personally owned cell phone, whichever is the most cost-effective. In determining whether an employee's position requires frequent use of a cell phone, the factors to be considered shall include, but not be limited to, whether the job responsibilities require:

1. An ability to communicate frequently but access to a district landline is not readily available
2. An ability to communicate immediately to ensure the safety of district staff and students or the security of district property
3. A level of accessibility which is impossible because of the employee's frequent job-related absence from the worksite

(cf. 3542-School Bus Drivers)

(cf. 4156.3/4256.3/4356.3-Employee Property Reimbursement)

When an employee is paid an allowance for the use of his/her personally owned cell phone for district business, the Superintendent or designee shall, from time to time, verify that the employee's cell phone contract is active.

The following stipends will be provided to the employee based on Level of Service required and the employee will acquire a phone on their own.

Level I - \$50 Per Month Stipend (for regular cellular telephone)

Qualification Criteria (any one or more):

- Travels out of assigned office on a regular basis
- Has responsibility for multiple sites
- Has responsibilities which require immediate response/access during and/or beyond regular work hours for emergency situation, i.e., computer system emergency or facilities emergency

Level II - \$100 Per Month Stipend (includes PDA Instruments)

Qualification Criteria (in addition to criteria listed above):

- PDA device is critical for job function
- Requires the approval of the Superintendent

Guidelines for All Stipend Levels:

- The employee is required to enter into and maintain a current contract with a cellular provider.
- The employee is required to semi-annually provide proof to Human Resources that they have a current contract with a cellular provider in order to ensure receipt of the stipend.
- Effective July 1, 2008, the use of hand-held cellular phones while operating a motor vehicle in California is prohibited. Employees violating this law shall be personally responsible for payment of associated fines.

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- The monthly stipend is paid as part of the employee’s regular pay. Statutory benefits will be calculated and paid accordingly.
- At such time as the employee is no longer required to have a cellular telephone to conduct business or terminates employment, the stipend will be discontinued. It is the Supervisor’s responsibility to immediately inform Human Resources.
- Cellular telephone contracts entered into by the employee will be the sole responsibility of the employee.

The Superintendent or designee shall develop a system for reviewing employees’ use of district-owned cell phones and the reimbursement of costs for employee’s business-related use of their personal cell phones. Employees shall be responsible for fees and charges associated with any misuse or overuse not attributable to district business.

If the Superintendent or designee determines that an employee no longer needs a cell phone or other mobile communications device to perform his/her job responsibilities, any fees or charges associated with cancellation of the service contract shall be the responsibility of the district.

Any employee who is not provided an allowance or a district-owned cell phone may be reimbursed for the actual expenses of business-related calls made on his/her personally owned cell phone, in accordance with the district’s expense reimbursement procedures.

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23123 Wireless telephones in vehicles

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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

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**MUESD MOBILE DEVICES
STIPEND AGREEMENT**

Employee Name: _____

Department: _____

Stipend Effective Date: _____

Device Phone Number: _____

(This number will be entered into IFAS and listed on emergency contact lists as needed)

Stipend Level I: \$50

Stipend Level II: \$100

Employee Certification

I certify 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 inactivate my service I will notify my supervisor and Human Resources 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 I should leave Mountain Union Elementary School District, I will continue to be responsible for the contractual obligations of the service plan.

Employee Signature

Date

Supervisor Signature

Date

CBO Signature

Date