

DISTRICT-ISSUED CELL PHONES

This policy governs employees' use of a Board-issued cell phone or similar wireless communications device ("District phone"). Employees' use of personal cell phones is governed by Board Policy 5.125, *Personal Technology and Social Media; Usage and Conduct*.

The Board recognizes that its employees' ability to communicate with supervisors, co-workers, vendors, and others is essential to the efficient delivery of District services. Therefore, the Board may issue a District phone to an employee when at least one of the following two criteria is met:

- (1) the job function of the employee requires considerable time outside of his/her assigned office or work area, and it is important the employee be accessible to the Board or District Administration during such times; or
- (2) the job function of the employee requires him/her to be accessible to the Board or District Administration outside of scheduled or normal working hours.

In all circumstances, a District phone will only be issued to an employee upon the recommendation of the Superintendent or, in the case of the Superintendent, upon the recommendation of the Board.

Use of District Phone

District phones are considered part of the District's electronic network, and all use of a District phone must comply with Board Policy 6.235, *Internet - Website - Employee Acceptable Use Policy* and the terms of the Board's wireless service plan. Employees who are issued a District phone are required to sign and submit to the Superintendent the "District-Issued Cell Phone Acknowledgement Form."

A District phone is intended to be used primarily for official District business but may also be used for personal reasons.

Employees are expected to behave in a professional and courteous manner, and this expectation applies to the use of the District phone as well. Employees are prohibited from transmitting or accessing on a District phone content that is unlawful, obscene, pornographic, sexually explicit, bullying or harassing in nature, or otherwise violates Board policy or a standard of professional conduct.

Employees using a District phone while operating a motor vehicle may do so only in hands-free mode and only to the extent permitted by law.

If the employee incurs additional costs over what the plan covers, i.e., buying apps, it will be the responsibility of the employee to cover the costs.

No Expectation of Privacy

At all times, District phones remain the property of the Board, and employees have no expectation of privacy in the contents of any data stored on or transmitted or accessed via a District phone, whether for work or personal reasons. The Board reserves the right, to the extent permitted by law, to audit and monitor the use of any District phone, including but not limited to any and all web history, call history, text or multimedia message content, e-mails, pictures, videos, and any other data stored on or transmitted or accessed via the District phone.

District employees are further advised that data stored on or transmitted or accessed via a District phone may, in certain cases, be subject to disclosure under the Illinois *Freedom of Information Act*; in response to discovery requests, subpoenas, or court orders; or as otherwise required by law.

Repair, Replacement, and Removal of Board Device

An employee must take reasonable precautions to protect the District phone in his/her possession from loss, damage, or theft. If a District phone is not operating properly, the employee must notify his/her supervisor before taking any steps to repair or replace the device. If the District phone needs service or replacement due to normal wear and tear, the Board will decide whether to repair or replace the device, at the Board's expense. If, in the Board's discretion, the District phone needs service or replacement due to the employee's negligence or intentional conduct, the employee is responsible for paying the expense of having the District phone repaired or replaced. The employee also must pay the expense of replacing his/her District phone if it is lost or stolen.

A District phone is the property of the Board and may be removed from the employee's possession at any time. Upon resignation or termination of employment, or at any time upon request, the employee must produce the device for return or inspection. Employees who do not present the device in good working condition within the requested time period may be required to pay the cost of its replacement.

Discipline

An employee who violates any of these rules is subject to disciplinary action, up to and including termination of employment, and/or legal action. Additionally, employees charged with traffic violations resulting from the use of their District phone while driving will bear sole responsibility for any and all liabilities that result from such actions.

The employee agrees to indemnify the Board and its individual Board members, officers, employees, agents, successors, and assigns for any losses, costs, damages, charges, or fees incurred by the Board relating to or arising out of my use of the District phone or my violation of either policy referenced above or any other rule established regarding District phones.

ADOPTED: March 16, 2017

NOTES: There was not a PRESS policy as of the adoption date. This policy was written by District Attorney.

**DISTRICT-ISSUED CELL PHONE
ACKNOWLEDGEMENT FORM**

Employee: _____

Date: _____

Model & Serial #: _____

Phone #: _____

I acknowledge receipt of the District-issued cell phone described above, and I have read, understand, and will abide by Board Policy 5.127, *District-Issued Cell Phones* and Board Policy 6.235, *Internet - Website - Employee Acceptable Use Policy*.

I understand that I have no expectation of privacy in the District phone, regardless of whether I used it for work or personal purposes, and that the Board and/or its agents may access and monitor my use of the District phone without prior notice to me. I further understand that, should I commit any violation, my access privileges may be revoked, and disciplinary and/or legal action may be taken against me.

In addition, I agree to indemnify the Board and its individual Board members, officers, employees, agents, successors, and assigns for any losses, costs, damages, charges, or fees incurred by the Board relating to or arising out of my use of the District phone or my violation of either policy referenced above or any other rule established regarding District phones. In consideration for use of the District phone, I hereby release the District and its individual Board members, officers, employees, agents, successors, and assigns from any claims and damages arising out of or related to my use of, or inability to use, the District phone.

Employee Name

Employee Signature