



## **BP 6450      Wireless or Cellular Telephone Use**

### **References:**

Vehicle Code Sections 12810.3, 23123, and 23124;  
U.S. Code Sections 274(d)(4) and 280F(d)(4)

1. The CEO shall determine if it is in the best interests of the District to provide a cellular or wireless phone, a mobile wireless internet device, hands-free devices, and/or a monthly allowance for cell phone service and equipment, at District expense.
2. Motor vehicle drivers may not use wireless or cellular telephones while operating their vehicles without a hands-free listening device and shall comply with all requirements of California law regarding the use of wireless or cellular telephones in vehicles.
3. District-Issued Cell Phones – No Personal Use
  - A. Cell phones provided by the District shall only be used during work hours in the course and scope of the employee's job duties, and may not be used for personal use. Employees shall not take District-issued cell phones home.
  - B. The value of a cellular telephone provided by the District primarily for non-compensatory business purposes is excludable from an employee's income. Record keeping of business and personal use of District-issued cellular telephones shall not generally be required when the telephones are issued for non-compensatory business reasons.
  - C. There shall be no expectation of privacy in the use of a District-issued cellular telephone.
  - D. Annually, the CEO shall forward, to the Board of Trustees, a list of recommendations on authorized employees to receive District-issued cell phones and mobile wireless internet devices, with interim approval for new users.
4. Personal Cell Phone – Allowance for District Business
  - A. As an alternative to District provided cellular or wireless phones, the CEO may determine that it is in the best interest of the District to provide selected employees taxable monthly allowances for cell phone service and equipment. Authorization to pay on-going monthly allowances for cell phone services and/or initial purchase must be submitted to Human Resources for Board approval

- B. Emails, texts, and other electronic communications related to District business sent from a personal device are not exempt from a Public Records Act Request. (Gov Code Section 6250)

**See Administrative Procedure 6450**

Board of Trustees Approved: 06/15/2022

Next Review Date: Spring 2028