

Regulation 3513.1: Cellular Phone Reimbursement Status: ADOPTED

Original Adopted Date: 07/01/2007 | **Last Revised Date:** 11/01/2011 | **Last Reviewed Date:** 11/01/2011

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

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 Superintendent or designee shall develop a system for reviewing employees' use of district-owned cell phones and the reimbursement of costs for employees' 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.

State	Description
Ed. Code 35213	<u>Reimbursement for loss or damage of personal property</u>
Ed. Code 44032	<u>Travel expense payment</u>
Ed. Code 48901.5	<u>Prohibition of electronic signaling devices</u>
Veh. Code 23123	<u>Wireless telephones in vehicles</u>
Veh. Code 23125	<u>Wireless telephones in school buses</u>
Federal	Description
26 CFR 1.132-5	Working conditions fringe benefit
26 USC 280F	Limitation on depreciation for luxury automobiles, etc
Management Resources	Description
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Internal Revenue Service</u>

Code	Description
3542	<u>School Bus Drivers</u>
4156.3	<u>Employee Property Reimbursement</u>
4256.3	<u>Employee Property Reimbursement</u>
4356.3	<u>Employee Property Reimbursement</u>
9250	<u>Remuneration, Reimbursement And Other Benefits</u>
9250-E(1)	<u>Remuneration, Reimbursement And Other Benefits</u>