



BP 6450

**Kern Community College District
Board Policy
Chapter 6 – Business and Fiscal Affairs**

BP 6450 Wireless or Cellular Telephone Use

References:

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

Note: This policy is **legally required**.

The Chancellor or designee shall determine if it is in the best interests of the District to provide a cellular or wireless phone at District expense.

Cellular telephones provided by the District for compensatory reasons are classified by the Internal Revenue Service as a fringe benefit, the value of which must be included in an employee's gross income.

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.

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.

There shall be no expectation of privacy in the use of a District-issued cellular telephone.

Use

Any personal use of wireless communication devices, including text messaging, during scheduled work hours shall be kept to a minimum or made on the employee's own time.

Issuance

If an employee receives a District allowance, the allowance will be taxable income to the employee.

If the District-issued wireless communication device is lost, damaged, or stolen, the employee is responsible for notifying the Help Desk immediately to prevent unauthorized use of the wireless communication device.

The District or College-issued wireless communication devices will be returned if the employee discontinues employment with the District or College.

Definition

Wireless communication devices include:

Cell Phone

Tablets