



Albany State University

Telecommunications Policy for Wireless Devices

Purpose

To provide guidelines for the acquisition, use, and payment of wireless communications devices for university-related business.

Policy

Employees may be provided with a cell phone or other wireless communications device as a condition of employment. Employees should check with their supervisor or department head regarding eligibility and authorization procedures. Subject to supervisor or departmental approval, employees may receive service through a university-sponsored plan.

Scope

This policy applies to all Albany State University employees who have been issued an Institution-purchased wireless communications device for their use. This policy also applies to all employees whose work on behalf of the University entitles them to reimbursement of business-related telecommunication expenses directly related to their work for the University.

Terms

Business use is any use in the course of performing specific job-related duties on behalf and for the benefit of Albany State University.

Wireless Communications Devices refers to devices that receive and/or send transmission using wireless technology such as cellular or radio frequency (RF) signaling. These include, but are not limited to, cellular or PCS phones, Blackberries, personal digital assistants with connectivity, two-way radios (traditional and trunked-technologies), and pagers. These do **not** include cordless telephones or headsets.

Incremental Usage Charges refers to those services whose recurring charges are based on a per unit measure such as minutes used or per occurrence of use.

I. Introduction

It is the responsibility of Albany State University (hereinafter referred to as "ASU") and each of its budgetary units to implement procedures to effectively use communication services and equipment at the lowest possible cost. With the rapid growth in wireless communication devices (hereinafter referred to as "WCDs") being used for both personal and business reasons, heads of budgetary units (Vice Presidents, Deans, Academic Department Chairs, Administrative Directors) or their designee are authorized to approve the acquisition of wireless communication devices and services. By contrast, cordless telephones, headsets and other devices not subject to incremental usage charges are not included.

II. Criteria for Determining Need

A department may acquire a WCD for an employee where communications needs cannot be met with other available alternatives such as a paging device, a



radio, or standard telephone equipment. Please see the Appendix A for the determining criteria.

The unit head (or designee) of employees using University-owned WCD/telephones is to initially determine the business needs and select an appropriate airtime package that meets these needs. The unit head should seek to incorporate the employee's WCD needs within a shared "pool" of minutes whenever possible. Employees should only be granted an individual plan if their need for minutes would require a disproportionate use of the shared "pool" of minutes.

Additionally, call activity is to be reviewed on a monthly basis to ensure that the appropriate airtime bundle (minutes per month) has been selected and that no additional charges were incurred due to personal calls. If a manager identifies any non-reimbursed personal calls, which have not been reported by the affected employee, the department will collect the cost of such call(s) from the employee and take any appropriate disciplinary action.

III. Ordering and Payment Administration

The following ordering and payment processing options shall be used for all WCDs/cellular phones issued for positions meeting the requisite criteria.

- 1. Once the need for a wireless or mobile device has been identified, the department must take diligent steps to ensure that it will be paying the lowest amount for the device and recurring monthly charges. This should include projecting the quantity and type of access service (i.e. minutes, messages, coverage area, Internet, etc.) the wireless device is anticipated to use each month.**
 - a) In the absence of an enterprise (i.e. University-wide) contract, the unit should obtain quotes from vendors and examine packages so that it can be assured that it will select the vendor and package which will result in the lowest cost considering monthly fee, air time, service area, roaming charges or any other applicable functionality required that is offered with additional cost outside the package selected.
 - b) Where volume discounts can be obtained, these should be considered as well.
 - a) When an enterprise (i.e. or statewide) contract is available, the department **must** utilize such contract(s) **unless** granted a written exception by both the University and the state government entity overseeing such contract (i.e. GTA).
 - c) Where an department's criteria has determined that a legitimate need for a wireless or mobile device exists, the department must then make a determination as to whether the device should be issued full-time to an individual employee for exclusive use, or be maintained as part of a shared pool where the device can be used by several employees on an as-needed basis.
- 2. The Unit Head will complete the EDP approval form and forward the completed form to the Chief Information Officer for review and approval.**



3. **The Office of Information Technology will procure WCD services via negotiated agreements available to Albany State employees. Only designated Albany State officials may enter into contracts on behalf of Albany State; any contracts signed by an unauthorized employee are in effect, personal obligations of the employee, not the University.**
4. **Upon arrival, the WCD will be sent to the Office of Information Technology for logging purposes.**
5. **After the WCD is logged, it will be distributed to the employee assigned, with directions for use.**

IV. Guidelines for Inventory and Reporting

The inventory of WCDs maintained by each unit shall document, at the very least, each individual device type, the service provider for such device, and the assignee. Such inventory must be kept current by each unit or department, and made available for inspection by ASU Internal Audits or any authorized external department upon request. Inventory reports must be forwarded to the Office of Fiscal Affairs and the Office of Information Technology on a semi-annual basis, as directed.

V. Departmental Guidelines for Use of the University Provided Cell-Phone

A. Guidelines for Unit Responsibilities

An ASU-assigned WCD and service may be an appropriate resource to conduct University business when it is demonstrated an employee cannot perform his or her duties without a WCD or that improved performance ensuing from WCD service will justify the investment. The individual units or departments are responsible for the following:

- Specifying authorized and unauthorized uses of wireless or mobile devices
- Maintaining the approval justification for each WCD/Cellular phone device and service issued or approved.
- Documenting procedures for processing reimbursement for business use of personal WCD or cellular telephones.
- Maintaining an inventory of wireless devices in shared pools and individually-assigned, by type.

B. Guidelines for Use

Cell phones provided to employees will be purchased and owned by Albany State University. Employees are responsible for the safekeeping and care of the cell phones they are assigned.

1. **WCD/Cellular phones assigned to University administrative, faculty or staff members are PRIMARILY for official business use.** While incidental personal use is reasonable in order to prevent the employee from carrying two devices, this use should not result in additional charges to the University. If a personal emergency arises that requires the extended or extensive use of the WCD/cell phone to make



personal calls, the faculty or staff members will notify their department head or supervisor and reimburse the University for those calls that create additional charges.

2. Baseline cell phone equipment and the most economical usage plan that meets employee business needs must be chosen. All costs associated with cellular telephone service are recharged by the telecommunications officer to the department ordering the equipment. Such costs include but are not limited to purchase of equipment; service initiation; monthly fees; per-minute cost of calls in excess of calling plan; roaming fees; maintenance and repair of equipment and programming; and replacement of lost or stolen equipment.

3. Employees are prohibited from calling "511", "900" and "976" phone services. Employees are allowed to make only job-related "511", "900" and "976" telephone calls and must document each call, including the business called, and to whom they spoke.

4. The use of any cell phone by an employee while driving an ASU vehicle is prohibited, unless the employee is using a headset or hands-free speakerphone or the employee moves the vehicle to a non-traffic portion of the road. If the employee is driving a personal vehicle, the use of a headset or hands-free speakerphone is required while using an ASU-issued cell phone; otherwise, the employee must move the vehicle to a non-traffic portion of the road.

5. An employee who is charged with a traffic violation involving the use of a cell phone while driving will be solely responsible for all liabilities that result from such actions.

6. Other general prohibitions are located in Appendix B of this document.

VI. Right to Monitor Communications and Right to Privacy

Albany State reserves the right to investigate, retrieve and read any communication or data composed, transmitted or received through voice services, online connections and/or stored on its servers and/or property, without further notice to employees, to the maximum extent permissible by law. Expressed notice to employees stating that there is no right to privacy for any use of University telecommunications equipment and services should be included in the assignment form granting access to University WCDs/cellular telephones and/or services.

VII. Reimbursement for Unauthorized Use

A. Private Cell Phones used for University Business

Heads of budgetary units may authorize employees to receive reimbursement for business-related calls made from privately-owned WCDs. Such reimbursements shall be for the cost of business-related calls only and shall not include any portion of the cost of WCD equipment, installation or basic monthly service fees unless the WCD is used solely for official business.

Additionally, it may make economic and business sense to pay a differential price to boost an employee's current airtime package on their personal phone by an amount sufficient to cover the addition of business calls. If the unit head



determines that this approach is in the best interest of the University, they should document the rationale for this decision, keep the documentation on file, and review annually to ensure that this is still appropriate. The employee shall keep a copy of all monthly usage bills for the current review period, to assist with the annual review and service renewal process.

The acceptable method of reimbursement is use of a formula to determine the per unit of usage charge for calculating the reimbursement rate for business related communications. All employees requesting reimbursement of business-expenses on a personal cell phone must submit copies of Appendix C and the Reimbursement for Cell Phone Business Calls Worksheet.

- Business-related communications made using minutes or measured service **within** a user's pre-paid service plan shall not be reimbursed.
- Business related communications made using minutes or measured service in **excess** of the pre-paid service plan.
 - When a business related communication occurs over and above the pre-paid service plan's limit, the University will reimburse at the actually accrued per minute charge billed by the service provider. The University will reimburse for roaming, long distance or other applicable charges for business related purposes. The University **will not reimburse taxes, regulatory fees and other recurring costs normally billed to the employee as a part of their service contract.**
 - Employee may be reimbursed for personal calls made using minutes or measured service in excess of the pre-paid plan **but only to the extent required to offset business related communication minutes or measured service within a user's pre-paid service plan.**
 - Employees who have been issued a University-owned WCD are not eligible for reimbursement of business calls on their personal cell phones.

B. University Cell Phones used for Private Communications

Employees who use their University-provided WCD for personal calls are responsible for reimbursing the University for such calls. Such reimbursements shall be for the cost of personal calls only and shall not include any portion of the cost of WCD equipment, installation or basic monthly service fees.

The acceptable method of reimbursement is use of a formula to determine the per unit of usage charge for calculating the reimbursement rate for personal communications. All employees who are required to reimburse the University for Personal calls on an ASU-provided cell phone must submit copies of Appendix C and the Reimbursement for Cell Phone Personal Calls Worksheet.



Appendix A

Guidelines for Determining Need of a WCD

Examples of conditions under which a WCD device and service may be obtained if these criteria are met include the following:

- A WCD is required to directly enhance an employee's job responsibility of protecting the physical safety of the general public.
- A WCD is required for an employee to respond better to environmental emergencies.
- A WCD is required for additional protection for the employee in potentially hazardous working conditions.
- An employee cannot adequately meet communications needs with other available alternatives such as a paging device or a radio.
- A WCD is required for on-call personnel required to respond to critical system failures or service disruptions
- A WCD is determined to be the most appropriate means of responding to campus emergencies or to achieve business efficiencies.
- If cost savings would be realized when an employee combines or eliminates landline or services.
- If frequent travel (e.g.>25% of time) is required to stay in contact with the office or department clients. (If travel duties rotate, agencies/institutions should use minimum number of devices to accommodate the maximum number simultaneously on the road.)
- If the employees job requirements is to remain mobile within multiple building/sites necessitate 2-way communications is required (e.g. desktop support technicians)
- If the employee is a Public Safety/Homeland Security official for the University
- If the employee is an "On-call employee" who is on-call more than 2 weekends a month. (Department heads should explore possibility of shared phones if on call duties are shared.)
- If the employee is required to be accessible at least 80% of the time and away from their office on a frequent basis (e.g.>25% of the time). (Administrative Department heads, etc.)



Appendix B

Prohibited Uses of Communications Technologies

Certain uses or attempted usage of state provided technology equipment and services are strictly prohibited. In addition to those restrictions included in department policies, the following prohibitions shall apply to all state provided equipment and services:

- Conducting private or personal for-profit activities. This includes use for private purposes such as business transactions, private advertising of products or services, and any activity meant to foster personal gain;
- Conducting unauthorized not-for-profit business activities;
- Conducting any illegal activities as defined by federal, state, and local laws or regulations;
- Creating, accessing or transmitting sexually explicit, obscene, or pornographic material;
- Creating, accessing or transmitting material that could be considered discriminatory, offensive, threatening, harassing, or intimidating;
- Creating, accessing, or participation in online gambling;
- Infringement of any copyright, trademark, patent or other intellectual property rights;
- Performing any activity that could cause the loss, corruption of or prevention of rightful access to data or the degradation of system/network performance;
- Conducting any activity or solicitation for political or religious causes;
- Unauthorized distribution of state data and information;
- Attempts to subvert the security of any state or other network or network resources;
- Use of another employee's access for any reason unless explicitly authorized;
- Attempts to modify or remove computer equipment, software, or peripherals without proper authorization; and,
- Attempts to libel or otherwise defame any person.



Appendix C: Allocation of Personal & Business Expenses—Cell Phone

I verify to the Albany State University that I have maintained adequate and contemporaneous support documenting my business and personal usage of the cell phone invoice indicated below which is being paid on my behalf. This documentation meets the requirements of Internal Revenue Code Section 274(d) and includes an indication of who was called, and the business purpose of the calls. I have determined the appropriate allocation of this bill between business and personal use, with the understanding that the business portion is excludable from my income as a working condition fringe benefit. The portion of the phone bill that I have indicated as personal will be included as additional taxable income to me for the current year.

In the event of an IRS audit, I will provide the supporting documentation indicated above, if requested. If the IRS disallows any additional portion of these expenses as personal, I understand that this may result in additional income tax owed by me, and I agree that the University will bear no liability regarding these expenses.

Name & Title

Signature of Requester

Signature of Vice-President

Date

Invoice Date: _____

Invoice Amount: _____

Business Percentage: _____

Personal Percentage: _____

Total (Must Equal 100%): _____

Business Office Review- Date



Appendix D Assignment of WCD

By signature below I certify that I have received an Albany State University-owned wireless communication device (WCD). I understand that use of this WCD is for business-related purposes only and that I am responsible for all non-business related expenses that result from the use of this WCD. I understand that the WCD is University property and I am responsible for its safe keeping and for ensuring that this device remains in proper working order. It is my responsibility to report any defects or damage, including theft or misplacement, to the Office of Information Technology immediately. I understand that in the event of theft or damage to the WCD, I may be required to reimburse the University the cost of repairing or replacing the WCD. I understand that the University has a right to monitor my communications using this device and that use of this device may be considered a taxable “working condition fringe benefit”. I have also read and understand that Wireless Communications Policy, including all applicable appendices and agree to abide by its terms and conditions.

Assignee: _____

Position: _____

Required Signatures: _____

Signature of Requester