

**CLASSIFICATION: Business and Noninstructional
Operations**

ADOPTED: 1/5/79

REVISED: 6/13/18

SUBJECT: Telephone and Wireless Communications

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The San Diego County Office of Education (SDCOE) is an agency that provides extensive services to school and community college districts and interacts with numerous other agencies. The County Superintendent of Schools recognizes the need for the maintenance of effective wireless and telephone communication systems.

The assistant superintendent, Integrated Technology Services, or his/her designee, shall be responsible for the implementation, review, and updating of this administrative regulation.

WIRELESS COMMUNICATION DEVICES

The use of wireless communication devices, such as cellular phones, smartphones, and other electronic devices with mobile phone capabilities, for both voice and text communication, is an important component of SDCOE communication systems. Under specified conditions, their use may be authorized as part of a work assignment for the conduct of official business of the County Board of Education and/or the offices, schools, and programs operated by the County Superintendent of Schools.

Staff and Program Wireless Communication Devices

An assistant superintendent may authorize issuance of a SDCOE-owned wireless communication device to a specific SDCOE employee, the County Board of Education, or program group. A phone assigned to a program group is shared or rotated among the members of that group. A SDCOE-owned wireless communication device may be issued based on one or more of the following circumstances:

1. The employee is required to be available and accessible to respond to emergencies that, if unaddressed, could jeopardize the health and/or safety of SDCOE or district students and staff.
2. The employee is required to be available and accessible to respond to emergencies that, if unaddressed, could compromise or interrupt a major SDCOE function or service to school districts.

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3. The employee is required to perform itinerant duties, without access to land-based telephones, and would be unable to respond to client (student, parent, and district) needs for more than 50 percent of his/her work schedule.

The employee agrees to comply with SDCOE acceptable use and data security policies and all applicable Board policies, administrative regulations, and state and federal laws.

Program phones are SDCOE-owned wireless communication devices and will comply with the following protocols known as the Program Phones Governance:

1. The phone shall be registered and monitored using SDCOE approved mobile device management systems.
2. Only SDCOE approved applications shall be installed on the phone.
3. The phone shall be configured to access SDCOE email systems only.
4. SDCOE issued protective cases shall be in use always.

SDCOE-owned wireless communication devices are for SDCOE business use only. Personal use of SDCOE-owned wireless communication devices for voice, data or text communication is prohibited except for emergency purposes. Emergency purposes include, but are not limited to, a 911-emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency.

Employees should be aware that information retained on SDCOE-owned wireless communication devices is not private and may be required to be disclosed under the California Public Records Act, by subpoena, or through other legal means.

Monthly invoices will be reviewed and approved by the authorizing assistant superintendent or designee.

All SDCOE owned wireless communication devices will be based on the functional need of the assigned work, at the discretion of the authorizing assistant superintendent, and will be registered with appropriate SDCOE device management tools to enforce data integrity, privacy and security.

Personal Device Opt-In

An assistant superintendent may authorize an employee's use of a personal wireless communication device to conduct official business in lieu of a SDCOE-owned wireless

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communication devices. Employees who will use their personal device must sign an Opt-In agreement that acknowledges the risks and recordkeeping requirements related to public records requests (Exhibit A).

Employees who are approved to use personal wireless communication devices for official business shall receive through payroll a flat-rate, monthly stipend. The amount of the stipend shall be established by the Strategic Leadership Team and is subject to annual adjustment. Stipends will be paid under the following conditions:

1. The employee's personal wireless communication device meets technical standards established by the Strategic Leadership Team.
2. The employee agrees to maintain an active wireless service contract and provide documentation of service (service contract or monthly bill) annually. The authorizing assistant superintendent, or designee, must be notified within five working days of the inactivation of the employee's wireless service.
2. The employee shall receive annual training pertaining to the proper treatment of public records subject to retention and disclosure per the California Public Records Act.
4. The employee agrees to comply with SDCOE acceptable use and data security policies and all applicable Board policies, administrative regulations, and state and federal laws.

Access to SDCOE Network Resources Using Personal Devices

Personal wireless communication devices of any type (laptop, desktop, tablet, smartphone, etc.) are not permitted to connect to any SDCOE wired or wireless network designated as "SECURE." Personal wireless communication devices may only connect to networks designated as "GUEST."

California Public Records Act

All staff shall exercise care when accessing data and information that is subject to California Public Records Act requests for information. Any device or account, whether personal or SDCOE-owned, that is used to access, edit, store, transmit, or receive information considered to be a public record is subject to requests for disclosure.

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TELEPHONE COMMUNICATIONS

The County Superintendent of Schools maintains a system of land-based telephones to facilitate the conduct of official business of the County Board of Education and the offices, schools, and programs operated by the County Superintendent of Schools.

Authorized personnel periodically will review reports of long distance calls made from SDCOE telephones to ensure that telephone charges are for official business. Employees shall reimburse all personal long distance charges to the Internal Business Accounts Receivable section.

Board Policy: 3560, 3600, 4004, 4019, 4020, 4022

Administrative Regulation: 3512, 3542, 3543, 3560, 3600, 4019, 4020, 4021

Derivation: Former Operational Procedure No. 3790, Adopted 1/5/79. Amended, Renamed, and Renumbered 3513.2, 9/13/95. Amended 4/14/00, 5/29/07. Amended and Renamed 7/1/09. Amended 6/13/18.

**Legal Reference: Education Code
35168**

**Government Code
6250-6270**

**Penal Code
502, 653.2**

**Vehicle Code
23123, 23123.5, 23125**

**Court Decisions
City of San Jose v. Superior Court (Supreme Court of California), (2017) 2 Cal.
5th 608**

Personal Device Opt-In Agreement

I, _____, acknowledge the following responsibilities associated with my request to use my personal wireless communication device for official SDCOE business and shall:

1. Adhere to all SDCOE security and privacy policies when accessing SDCOE applications and data.
2. Abide by all federal and state laws concerning the use of mobile devices when driving.
3. Not “jail break” the personal wireless communication device or alter/bypass built-in security features.
4. Not share the personal wireless communication device with others.
5. Cooperate with SDCOE officials to satisfy legitimate requests for public records.

I further acknowledge that compliance with a public records request could inadvertently expose personal information on the personal wireless communication device. As such, I have no expectation of privacy related to the use of the personal wireless communication device when conducting SDCOE business.

Employee Signature

Date