



December 30, 2015 draft

Minnesota State Colleges and Universities  
System Procedures  
Chapter 5 – Administration  
Procedures associated with Board Policy 5.22

### 5.22.2 Cellular and Other Mobile Computing Devices

**Part 1. Purpose.** Electronic communication is an important part of contemporary business practices, including the operations of colleges, universities and the system office. The standards and responsibilities of this procedure are supplemental to other applicable Board Policies and System Procedures including, but not limited to, Board Policy 5.22 and System Procedure 5.22.1. The purpose of this procedure is to clarify institution and employee responsibilities associated with provision of system-owned cellular devices and mobile computing devices and use of employee-owned cellular and mobile computing devices for system business.

#### Part 2. Definitions.

**Subpart A. Cellular device.** Cellular device means a cell phone or a mobile computing device with voice capability. ~~A cellular device is characterized by the fact that service plan cost generally is determined by the amount of use.~~

**Subpart B. Mobile computing devices.** Mobile computing devices are portable computing and telecommunications devices that can execute programs. This definition includes, but is not limited to; ~~notebooks, Palmtops, personal digital assistants, iPods, BlackBerry devices~~ laptops, tablets, and cell phones with internet browsing capability. Use of a mobile computing device may or may not require a wireless communication service plan or incur connection charges.

**Subpart C. Department cellular device.** A system cellular device purchased and maintained by a college, university or the system office department or division for use by more than one employee or other authorized user while engaged in their assigned duties.

**Subpart D. Other wireless communication service.** Other wireless communication service is any subscription-based communications service that relies on commercial cellular services for data or voice transmissions. These services are often marketed using names such as mobile content, wireless music services, cellular services, ~~3G~~ 4G wireless services, text messaging services, digital cellular services, mobile wireless services, mobile data services, wireless data services, wireless telecommunications services, analog cellular services, cellular data services, etc.

**Subpart E. System cellular device or plan.** A system cellular device or plan includes a cellular device or service plan provided to an employee by a college, university, or the system office for business purposes.

**Subpart F. Voice over Internet Protocol applications or VoIP.** Voice over Internet Protocol applications and related devices are outside the scope of this procedure. The downloading of VoIP applications onto system-owned equipment is governed by System Procedure 5.22.1, Part 4, Subpart B(4), Acceptable Use of Computers and Information Technology Resources.

**Part 3. Eligibility for System-Owned Cellular Device, Mobile Computing Device, or Other Wireless Communication Service Plans.** A college, university or the system office may provide a cellular device or a mobile computing device, or other wireless communication service plans to an employee if it is determined by the college, university or the system office to be a necessary business expense under one or more of the following criteria:

- a. Availability of device and service is integral to the performance of specific duties within the employee's job description;
- b. A substantial portion of the employee's work is conducted outside of the building or buildings where the employee is assigned to work;
- c. The employee does not have an assigned office or workspace and needs to be contacted on a regular basis by college, university or system office constituents for assigned services or to provide needed information;
- d. It is a job requirement that the employer be able to reach the employee outside of the employee's normal work hours.
- e. The mobile computing device is for use by a faculty member and is intended to replace a desktop computer.

A college, university or the system office is not required to provide a device or service plan and is expected to periodically review the continued need and finances associated with the devices as a general management practice.

**Part 4. Authorization ~~and Annual Review.~~**

Authorizing administrators are expected to implement and oversee this procedure for business-related purposes and in accordance with Board policy, other applicable system procedures and law.

**Subpart A. Subpart A. Authorization.** To be approved for a system-owned device (and service plan, if applicable) under this procedure, the following procedures are applicable:

1. The supervisor of an employee requesting the device, service and /or service plan must determine if the employee meets the threshold eligibility requirements in Part **43**.
2. A device /service/ service plan shall be issued only if approved by an authorized administrator of the college, university or system office.
- ~~2.3.~~ The authorizing administrator must obtain and retain a written verification, signed by the employee, acknowledging receipt of the applicable system policies and procedures governing the employee's use of the device/service/service plan.
- ~~3.4.~~ Documentation to support the decision to issue the device and plan must be retained by the appropriate administrative unit at the college, university or system office consistent with records retention standards and be available for review and audit.

~~4.5.~~ Colleges and universities are encouraged to procure devices, services and plans under state or system negotiated contracts when possible.

**Subpart B. Employee Annual review.** The employee is responsible to annually review with his/her supervisor the continued business need for the device, service and/or plan and complete appropriate documentation, as requested. Mobile computing devices issued pursuant to Part 3. e. shall not be subject to the requirements of this Subpart. ~~'s supervisor and the authorized administrator annually must review and document the continued business need for the device and plan.~~

## **Part 5. Employee Responsibilities.**

~~System employees are responsible for appropriate use of all system owned cellular and electronic resources. Employees are expected to adhere to the highest ethical standards when conducting system business and follow the system Code of Conduct and related laws, policies and procedures.~~

~~1. a.~~—An employee who receives authorization ~~cellular device or mobile computing device~~ under this procedure is responsible for ensuring that the device is available for service during applicable business hours and as needed.

~~2. b.~~—The employee must immediately return the device upon request by the employee's supervisor or upon the end of employment.

~~3. e.~~—The employee must comply with the provisions in this procedure including annual verification of continued conformance with authorization.

~~4.4.~~ The employee shall report any changes to his/her eligibility criteria for the authorization; an authorization will be deemed withdrawn when the employee's eligibility criteria is no longer met.

## **Part 6. System-Owned Cellular and Mobile Computing Devices.**

**Subpart A. Personal use.** System cellular devices and services are intended for system business. In accordance with Minn. Stat. § 43A.38, Board Policy 5.22, system procedure 5.22.1, Minnesota Management and Budget Human Resources/Labor Relations Policy #1423, personal use of a system cellular device and plan is allowable only for limited and reasonable incidental and de minimis use. De minimis use is personal use that does not result in any additional costs or loss of time or resources, or results in an incremental cost or loss of time that is so small so as to make accounting for it unreasonable or administratively impractical. Incidental use means personal use that is of minimal duration in length and frequency. Personal use of a system cellular device or service in violation of this procedure or other system work rules may result in ~~Improper personal use may result in~~ revocation of the employee's authorization and possible disciplinary action against the employee. ~~cellular device and plan usage or cellular device allowance, reimbursement for unauthorized calls, and disciplinary action, up to and including termination.~~

The system reserves the right to seek reimbursement for excessive personal use of any system-owned mobile computing device. In order to avoid commingling personal and system calls,

porting a personal cellular number to a system billing account is prohibited, as is porting a system cellular number to a personal billing account.

**Subpart B. Monthly review of invoices.** The employee must review and initial the cellular device invoice monthly and identify any use not permitted under this procedure before submitting the invoice to the employee's supervisor or authorized administrator assigned to review and approve the monthly cellular device bill.

**Subpart C. Payment options for cellular devices and plans.**

Colleges, universities and the system office may pay for business-related cellular devices/services/ service ~~and~~ plans only through either reimbursement to the employee for occasional, incremental actual expenses or direct payment to a vendor for a cellular device/services/ and service plan owned and managed by the institution-college, university or system office unless otherwise authorized by a collective bargaining agreement.

**Subpart D. Reimbursement for occasional, incremental actual expenses.**

~~**Business calls.**~~ Occasional business call expenses made from an employee's personal cellular device are eligible for reimbursement if:

1. The employee has not been issued a cellular device by a college, university or the system office or the assigned cellular device does not receive service in the area from or to which the call was made; and
2. The employee has incremental costs directly attributable to the business calls.

Reimbursement shall be made in accordance with guidance provided by the system office.

**Subpart E. Personal calls while on travel status.** Certain bargaining agreements or compensation plans provide that an employee in travel status overnight may claim expense reimbursement for actual personal telephone calls up to a defined limit. In addition to the incidental and de minimis use provided for in Part 6, Subpart A, employees who are issued a cellular device may make limited personal calls in lieu of claiming such reimbursement for calls while in travel status.

**Subpart F. Department cellular devices/services/ service plans.** A college, university or the system office may purchase cellular device equipment and service plans if the college, university or the system office determines the cellular device is necessary for the efficient operation of a department and the cellular device will be used by more than one individual.

1. A department cellular device may be provided to meet the department's for business purposes. The equipment is designated as property of the college, university or system office and must be returned to the department daily or as required. Examples of such department users might include, but are not limited to, parking cashiers, delivery drivers, maintenance or security personnel who need to be accessible by phone during their work shift.

2. Purchase of department cellular device equipment or service plans must be approved by an authorized administrator. At the time of purchase, the responsible party for each department cellular device must be identified. The responsible party must perform the actions required under this procedure.

## **Part 7. Employee-Owned Cellular or Other Mobile Computing Devices**

**Subpart A. Acknowledgement of Responsibilities.** MnSCU employees who choose to use their personal devices for business are subject to the following provisions:

- User acceptance that an employee-owned device may be remotely wiped (ie. erasing all data and applications, including personal information) by MnSCU if lost or stolen;
- User understanding that the employee is solely responsible for backing up any personal content on the device;
- User will delete any sensitive business files that may be inadvertently downloaded and stored on the device through the process of viewing e-mail attachments.
- User agreement to keep the device updated and in good working order; and to report if lost or stolen
- User acknowledgment that MnSCU will in no way be responsible for damaged, lost or stolen employee-owned devices while the user is performing system business;
- User agrees to turn on device encryption where possible and employ an authentication method to access the device. Acceptable methods include: passwords, pins, or biometric features as available.

**Subpart B. Privacy.** Employee owned devices used to access, transmit or store government data are subject to the employer's right to access the device for legitimate business purposes including, but not limited to: implementing security controls, fulfilling record retention obligations, conducting investigations, or responding to litigation-related requests arising out of administrative, civil, or criminal proceedings. Employees are expected to provide access to their device upon demand for necessary business purposes.

**Subpart C. Technical Support and Management of Employee-Owned Mobile Devices** System IT staff will provide best efforts to support the installation and connection to the system infrastructure and network resources. All other support-related issues must be directed to the mobile device service provider.

**Subpart D. Reasonable Accommodations.** Under applicable law and board policy, the system may be required to accommodate a qualified individual with a disability who uses an employee-owned mobile device at work that enables the employee to perform the essential functions of the job. Employees who wish to request a reasonable accommodation should contact the appropriate campus or system office personnel.

## **Part 8. Employee Safety**

MnSCU employees are highly discouraged from using mobile devices to make a phone call while operating a motor vehicle in the conduct of MnSCU business, except for the purpose of obtaining or rendering emergency assistance. Employees are reminded that the use of a mobile device for non-telephone communication (e.g., texting) is illegal in Minnesota while operating a motor vehicle per Minn. Stat. Sect. 169.475.

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**Related Documents:**

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- [Policy 1B.1 - Nondiscrimination in Employment and Education Opportunity](#)
  - [Procedure 1B.1.1 - Report/Complaint of Discrimination/Harassment Investigation and Resolution](#)
  - [Procedure 1C.0.1 - Employee Code of Conduct](#)
  - [Policy 1C.2 - Fraudulent or Other Dishonest Acts](#)
  - [Policy 3.26 - Intellectual Property](#)
  - [Policy 5.22 - Acceptable Use of Computers and Information Technology Resources](#)
  - [Procedure 5.22.1 - Acceptable Use of Computers and Information Technology Resources](#)
  - [Policy 5.23 - Security and Privacy of Information Resources](#)
  - [Frequently Asked Questions \(pdf\)](#)
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To view any of the following related statutes, go to the Revisor's website (<http://www.revisor.leg.state.mn.us/>). You can conduct a search from this site by typing in the statute number.

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- [Minnesota statutes 136F.46, Non-profit Foundation Payroll Deductions](#)
  - [Minnesota statutes 136F.80, Grants, Gifts, Bequests, Devises, and Endowments](#)
  - [Minnesota statutes 136F.81, Transfer of Gifts](#)
  - [Minnesota statutes Chapter 43A.38, subdivision 4, Use of state property](#)
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*Date of Implementation:* 04/05/10,

*Date of Adoption:* 04/05/10,

*Date and Subject of Revision:*

4/2/15 - created new Part 2, Subpart E to clarify that devices and plans provided to employees for business purposes are property of the system. Amended Part 6, Subpart A, Subpart E and Subpart F to clarify that personal use of such devices and plans are governed by state statute and are allowable only for incidental and de minimis use; and specify repercussion of improper use.

1/25/12 - The Chancellor amends all current system procedures effective February 15, 2012, to change the term "Office of the Chancellor" to "system office" or similar term reflecting the grammatical context of the sentence.