



Board Policy 5.22 Acceptable Use of Computer and Information Technology Resources

Procedure 5.22.2 Cellular and Other Mobile Computing Devices

Frequently Asked Questions

5.22.2 Changes – Synopsis

The changes update definitions to reflect current technological standards; expand the eligibility section for system issued devices; streamline the review and approval process for system-owned devices; clarify conditions for personal use of employer devices; and add security and other expectations for users of employee-owned devices for system work.

FAQs

- 1. Why has this procedure been changed?**
- 2. When does this new procedure change take effect?**
- 3. What does this change mean for me?**
- 4. How will the new procedure be communicated to all employees?**
- 5. Why does the employer have to document and track employer issued devices?**
- 6. How will my supervisor establish required documentation concerning a college/university/system office issued device?**
- 7. It seems that the rules are changed in this procedure and I can now use an employer issued device for personal business. Is that the correct interpretation?**
- 8. The new section #7 concerning employee owned cellular or mobile computing devices seems intended to discourage business use of personal devices. I use my phone all the time to communicate with students and colleagues. Do I have to stop doing that?**
- 9. What will the employer look at on my device?**
- 10. What if employer asks for employee's personal device, and the employee refuses?**
- 11. What if I lose my personal device and do not report it lost to my employer?**

1. Why has this procedure changed?

The procedure was last reviewed and changed in 2010. Board policy requires all policies and procedures to be reviewed every five years and revised as warranted. Much has changed in the technology environment in the past five years and care was taken to revise this procedure to reflect changes. Changes were made to update and streamline procedures for authorizing

the issuance of system-owned devices and clarify standards for personal use of those devices. The procedure was also amended to articulate security and other expectations for employees who choose to use their personal devices for system work, consistent with existing data privacy laws and standards already implemented by other state agencies.

2. When does this new procedure change take effect?

The revised procedure is effective April 1, 2016. Prior to its approval, it was reviewed by all bargaining units, student associations, and college and university leadership. Several discussions occurred at faculty association meet and confers and meetings were held with leadership of the college and university faculty associations.

3. What does this change mean for me?

There are several ways this new procedure could impact you. You should read the new procedure carefully and discuss with your supervisor if you have any questions.

If you use a cellular or mobile computing device for system work, you should review Part 7 of the revised procedure and familiarize yourself with your obligations to safeguard data, protect your device and report its loss or theft. These new provisions are intended to assist employees in understanding and complying with their privacy and security obligations under the Minnesota Government Data Practices Act.

4. How will the new procedure be communicated to all employees?

Each college, university, and system office Human Resources Office is expected to communicate the new procedure through its usual methods including employee announcements, posting on websites, new employee training, and orientation programs.

5. Why does the employer have to document and track employer issued devices?

The devices are state property and these procedures help the system to safeguard those resources and ensure they are only used for authorized purposes.

6. How will my supervisor establish required documentation concerning a college/university/system office issued device?

College and university and system office Human Resources Offices will provide guidance and template forms for this purpose.

7. It seems that the rules are changed in this procedure and I can now use an employer issued device for personal business. Is that the correct interpretation?

De minimis personal use of state resources has always been the default rule under state law with the exception of system-owned cellphones, due to previous interpretations of federal tax laws. System procedure has now been amended, in part due to new federal tax law interpretations, to apply the *de minimis* standard to all system-owned devices, including cellphones, and that standard has been defined to provide additional clarity.

8. The new section #7 concerning employee owned cellular or mobile computing devices seems intended to discourage business use of personal devices. I use my phone all the time to communicate with students and colleagues. Do I have to stop doing that?

No. You are, however, encouraged to read the new provisions in section #7 that are intended to help employees understand their continuing responsibilities to protect government data that may reside on their personal devices.

9. What will the employer look at on my device?

If your employer asks for your personal device, it will be to access government data on your device. It may not always be possible to differentiate between personal and government data, but a good-faith effort will be made to limit access to government data that is needed.

10. What if the employer asks for an employee's personal device, and the employee refuses?

Any such situation will be reported to the appropriate supervisor or administrator for review. Failure to comply with any applicable system policy or other established standards of conduct may result in discipline.

11. What if I lose my personal device and do not report it lost to my employer?

A report of a lost device is only required if it retains government data. If it is determined that the loss of such a device has not been reported in a timely manner, the matter will be reviewed and discipline may result.

