### UNIVERSITY POLICY

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<th>Policy Title: Mobile Communications</th>
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### PURPOSE OF THIS POLICY

The purpose of this Policy is to provide mobile communications devices and services for use by University employees, primarily for non-compensatory University business purposes. Recognizing that these devices are susceptible to use for personal purposes and that a reasonable amount of personal use may be permitted without significantly increasing the University’s costs, it is necessary to adopt a policy governing such personal use and providing for business processes to implement the policy.

### APPLICATION OF THIS POLICY

This policy applies to all University employees and associates who are authorized by their department heads to obtain a mobile communications device and related services that will be paid for with University funds, and to those who elect instead to receive a monthly allowance to cover the business use of their own, personal mobile devices and accounts require the use of a CSU-supported mobile device for conducting CSU business.

### EXEMPTIONS FROM THIS POLICY

Mobile devices other than cell phones, such as tablets or laptop PCs, that are in use as of June 1, 2013 and configured for a particular cellular service provider are exempt from this policy; however, no new devices that are incompatible with the University’s corporate service plans should be purchased unless the University’s official provider’s devices and plans are clearly unable to meet the department’s legitimate business needs.
DEFINITIONS USED IN THIS POLICY

*Allowance plan:* A plan for providing a monthly allowance amount to an employee who chooses to use his or her own personal mobile device and service plan for mixed business and personal use.

*Corporate plan:* A cellular wireless service plan provided under the University’s agreement with its official service provider, where the University is the owner of the device and is liable to the service provider for the account, and the mobile device and service are offered to a University employee or department for official University business use or mixed business/personal use.

*Eligible employee:* A CSU faculty, administrative professional, state classified, graduate assistant, or other salaried employee paid on a salaried basis (hourly employees are not eligible). All references herein to an “employee” are meant to refer to an eligible employee unless otherwise stated.

*Incidental personal use:* Personal use of a mobile device that is secondary to business use, does not interfere with the normal performance of one’s duties or the duties of another, and does not cause the University to incur additional costs.

*Mobile device:* A cellular phone, tablet computer, or other device that uses cellular wireless connectivity for voice, text and data services.

POLICY STATEMENT

Colorado State University has entered into an agreement with a provider of cellular wireless phone and data devices and services to act as the University’s official mobile communications provider. Eligible employees wishing to obtain a CSU-supplied wireless device and service plan for business use must comply with this policy. Existing University accounts with other providers may not be renewed or extended after the effective First Revision Date of this policy. In addition, this policy provides a “allowance option” for those employees who use their own personal mobile devices and accounts for University business purposes to cost share with the University and wish to seek reimbursement for that business use.

POLICY PROVISIONS

A. Business Need for Mobile Communications Devices and Services
1. Cellular phones and other wireless communications devices, such as those allowing access to the University’s online resources and the Internet, are provided to improve employee productivity and customer service, and to enhance business efficiencies. Cellular phones are not provided for primarily personal benefit. The mobile device and services (voice, text and data) are provided primarily for CSU business use, with incidental personal use permitted. Before receiving a University-subsidized device or service plan, it must be established that the employee has a business need for the device, and an appropriate service plan must be approved by the employee’s department head or administrative supervisor.

2. In order to participate in the University’s mobile communications program, the employee must have a legitimate university business need for a mobile device, as defined and approved by his or her supervisor (or other authority designated by a college dean or a division or department head), including one or more of the following:
   a. Employee travels or works regularly remotely or in the field, and, while away from the campus employee’s primary workplace, needs to be accessible for communications and/or requires access to online resources (e.g. email, calendar, web, etc.), via a mobile communications device;
   b. Employee is responsible for critical services or infrastructure, and needs to be accessible for communications and/or requires access to online resources via a mobile communications device in order to quickly respond; and/or
   c. Mobile access and/or access to information technology systems via a mobile communications device would, in the judgment of the supervisor or designated authority, render the employee more productive and/or the service the employee provides more effective, and the cost of mobile communications service is therefore warranted.

3. When purchasing a mobile device for an employee, the device selected shall be the most economical device that will reasonably meet the employee’s legitimate CSU business needs. Any difference between the cost of such device and a more expensive one selected for the employee’s personal convenience shall be paid by the employee.

4. When an employee’s personal calls or personal data use causes the University to incur additional charges, the employee must reimburse the University for the difference between the actual bill and the subscribed monthly plan amount, including all applicable taxes, surcharges, and all other billed charges related to the
excess use. In addition, employees must reimburse the University for personal charges such as international coverage related to personal travel, the purchase of smartphone applications not related to work, purchased ringtones or applications, non-business roaming charges, etc. All such reimbursements shall be made by cash or check within 15 days of receipt and reconciliation of the monthly statement.

5. The University may audit, or retain a contractor to audit, personal and business expenses and utilization of CSU-provided devices and plans at any time.

B. Terms of Program Participation

1. A communications mobile device purchased with University funds remains the property of the University, and the employee may be required at any time to surrender the device when requested by the supervisor or other official who authorized it. When a device is to be replaced or removed from service, it will be returned to the department that purchased it, and either reassigned to another employee, or treated as surplus property in accordance with applicable University policies and procedures.

2. When on University business, employees are responsible for operating vehicles or potentially hazardous equipment in a safe and prudent manner. Use of a cell phone or other wireless device while operating vehicles and equipment creates substantial risks, and therefore, employees shall refrain from using these devices while operating such vehicles and equipment.

4. Using a cell phone during international travel can be extremely expensive. The University’s official provider offers an international calling and data plan that can be activated when traveling, which greatly reduces these costs. It is the employee’s responsibility to assure that the carrier’s international service has been added before leaving the US. Any amounts incurred as a result of failing to do so will be the employee’s personal responsibility.
5. Only one mobile device and plan or one allowance payment will be permitted per employee under this policy. An exception may be made when the employee’s department head establishes the business case for a second mobile device including the following:

   a. The second device offers functionality that is different and unique from that offered by the primary device.
   b. The unique functionality of the device serves its own substantial business purpose in a way that the primary device is not able to do.
   c. Substantiation is attached to the Wireless Device Attestation Form describing the substantial business purpose and how that purpose differs from the employer-provided cell phone.
   d. The department head/director, responsible business officer, and University Controller must all approve.
   e. Wearable devices such as cellular-enabled watches may not be purchased or supported with University funds unless approved for research purposes approved by the Vice President for Research or business purposes approved by the Vice President for University Operations.

C. Program Options

1. Corporate Plan Option

Eligible employees with recurring established business need for a mobile device may enroll in the corporate plan. Under this plan, a cellular phone, wireless tablet, or other mobile device may be selected by the employee from the university’s service provider’s website, together with the service plan that is most economical for the approved business use.

Two options are offered for employees who are provided with a device and plan under the University-sponsored corporate plan:

a. For employees who will use the device and service for university business only, with no personal use at all, the employing department will pay 100% of the charges. If this option is selected, the employee must annually attest that all use is for business purposes, or

b. For employees who elect to use the University-sponsored plan but also wish to use the device and services for some incidental personal use, the employee may elect to
pay a low, flat monthly rate to cover the personal portion of the services (so long as business use remains primary). The rate is determined by the University Controller, agreement between the University and the official provider; current rates may be found online on the Department of Telecommunications website. If the personal use option is selected, then, unless the personal use charges exceed the business use charges, the charge to the employee initially will be based on the service plan for which the employee is approved and subscribed. The University will automatically deduct this amount from the employee's payroll on a monthly basis as long as the account is active. The amount charged to the employees opting in for the personal use option may be reviewed annually by the University and is subject to change from time to time. The employee’s home department is responsible for collecting paying any amounts owed to the employee’s home department if for any reason the payroll deduction is unable to be made.

2. Allowance Option

a. Eligible employees requiring a mobile phone are encouraged to use the University’s corporate plan with the official provider, as this should result in lower cost to the employee and the University. However, the University recognizes that some employees may prefer an allowance arrangement that allows for reimbursement to the employee for CSU-business use of their own personal mobile communications device and service. CSU’s official provider will offer a discounted personal plan for CSU employees who wish to take advantage of low pricing.

b. In lieu of receiving a University-subsidized device and cellular service plan, where determined appropriate by the department head, employees who choose this option may opt to use their personal mobile device for University business purposes and will receive a fixed allowance from the University to cover such portion of the use, so long as there is a legitimate and approved business need as described in Section A above. The employee will be responsible for all equipment, service, and data charges, and for establishing and maintaining a personal contract with the carrier for cellular services. The employee owns the device and is the customer on the plan.

e—An allowance will be added to the employee's monthly payroll deposit, at a flat rate, according to the following schedule (FPI) 2-15.
d. $25/month for cellular service, with text messaging; or
e. $40/month for cellular service with text messaging and a data plan.

- Only one allowance is permitted per employee at any one time. Allowances are not allowed during any month when the employee is ineligible or is not earning any pay.

- The University Controller has the authority to raise or lower the allowance amount from time to time for all employees (not on an individual basis) based on market price and/or changes to applicable tax laws and regulations.

f.c. The employee is responsible for advising his or her supervisor, and the supervisor shall advise the department head/director, when the employee no longer has the business need for which the allowance option was approved, or discontinues receiving the cellular services being used for CSU business. The employee will provide copies of billing statements whenever requested to assure proper accounting and plan selection. Knowingly accepting an allowance payment when you are no longer paying for a service plan that you use for CSU business is a serious violation of policy that may result in disciplinary sanctions, up to and including dismissal from the University, and may be a criminal offense.

D. Reimbursement for Business Use Not Otherwise Covered

Employees whose recurring business use cannot reasonably be compensated under either the corporate plan with personal use option, or the allowance plan (usually due to business need for extensive international travel in coverage areas not adequately served by the University’s official provider), may request approval by the responsible senior administrator (department head, provost, dean or director/vice president) for a department-liable account with another carrier that provides service coverage where needed by the employee. The department will own the device(s) and be responsible for handling all billing and payment under the selected plan, which shall be the least expensive plan available that adequately meets the approved business need. In these arrangements, the device is provided for business use only, not for personal use of the employee, and the department will implement reasonable procedures to assure this limitation is being met.
Employees whose business travel results in business use that exceeds the amount of the approved allowance plan, but who otherwise are adequately served by the plan, may submit charges for business use of their personal device on their travel expense report for the period in which the charges were billed. Reimbursement for such charges shall not exceed the reasonable and necessary amounts incurred for business purposes. If this becomes a recurring type of reimbursement request, the employee may be required to switch from the allowance to a corporate plan.

E. **Insurance/Equipment Replacement Plans**

The insurance and equipment replacement plans offered through the official provider are not mandatory. For expensive devices such as smart phones, the ordering department may wish to consider purchasing this coverage. In cases where insurance is not purchased, the ordering department will be responsible for any damage or loss of a university-owned device. The University assumes no liability for loss or damage to an employee’s personal wireless device, and no reimbursement of such loss or damage shall be allowed.

F. **Responsibilities of the Department Head or Director**

1. Each department head or director who authorizes an employee to use a wireless device and/or plan, or to receive an allowance, should exercise discretion to assure that the device and plan selected are appropriate and economical. The department head or director is responsible for annually reviewing the business case to assure that the business need continues to exist, and shall make changes to the device, plan or allowance approval as appropriate. The department head or director shall assure that the Human Resources Payroll Unit is notified immediately when an allowance or corporate plan is to be changed or discontinued.

2. If the corporate plan on an opt-out basis or allowance is not justified by the business need for such an employee, the department head or director may wish to consider obtaining one or more mobile devices with the corporate plan, on an opt-out no-personal-use basis, in the department’s name, to be temporarily assigned to employees who only need the phone for occasional on-call, travel, or other temporary purposes. The department will be billed directly and will be responsible for collecting any amounts owed by an employee for personal use not authorized under the plan. This arrangement can also be used for employees who are non-salaried (hourly) and occasionally require a cell phone for business use. **This is not to be used as a substitute for choosing a plan option as described above.**
3. Department heads and directors are responsible for obtaining CSU-owned mobile phones and devices back from employees when the devices are no longer in service or the employee terminates employment with the department. Employees may purchase their not keep CSU-owned phones from Surplus Property for personal use or when terminating employment. If the employee does not purchase the device, it must be returned by the department to CSU Surplus Property or reassigned to another employee within the department. Note: employees who switch from a corporate plan under the Sprint agreement to an approved Allowance Option plan, and who choose to remain with Sprint on a personal service contract, may retain their Sprint phones until their Allowance Plan is no longer active.

**COMPLIANCE WITH THIS POLICY**

Compliance with this policy is required. An employee whose use of a University-provided cell phone or acceptance of an allowance is not justified by the legitimate business needs of the University may will be subject to tax liability for the value of the benefit. Failure to comply with this policy may also result in a denial or revocation of a wireless device, service, or allowance, and may include personal liability for any amounts improperly incurred by the University as a result of a policy violation.

**REFERENCES**

- Information and questions on mobile devices and service plans: [http://cellphones.colostate.edu](http://cellphones.colostate.edu)
- Questions regarding payroll deductions and allowances: Department of Human Resources, Attn: Payroll, 970-491-MyHR (491-6947) [http://www.hrs.colostate.edu/current-employees/payroll.html](http://www.hrs.colostate.edu/current-employees/payroll.html)
- Rev. Stat. §18-8-301, et seq. (Bribery and Corrupt Influences)
- Rev. Stat. §18-8-401, et seq. (Abuse of Public Office)
- Rev. Stat. §24-30-202(3), (17) (Personal Liability for Unauthorized Expenditures; Misdemeanor)
- CSU System Fiscal Rule 2.2
- CSU Financial Rule 2.13.1

**FORMS AND TOOLS**

The **WIRELESS DEVICE ATTESTATION FORM** must be completed properly for use in obtaining a University-issued wireless device, plan or allowance. The form may be revised from time to time, as needed, in the discretion of the University Controller.

**APPROVALS**

**POLICIES OF COLORADO STATE UNIVERSITY**
Mobile Communications