

# Harney Education Service District

Code: **EGACA**  
Adopted: 5/07/14

## Cell Phones

The Board recognizes that the use of cell phones may be appropriate to provide for the effective and efficient operation of the ESD and to help ensure safety and security of ESD property, staff and others while on ESD property or engaged in ESD-sponsored activities. To this end, the Board authorizes the purchase and employee use of cell phones, as deemed appropriate by the superintendent.

ESD-owned cell phones shall be used for authorized ESD business purposes, consistent with the ESD's mission and goals. Personal use of such equipment is prohibited except in emergency situations. Employees do not have any expectations of privacy with ESD-owned cell phones or any information stored on them; the phone may be confiscated and searched at any time. Employee use of an ESD-owned cell phone shall not violate Oregon's ethics laws.

If an employee's cell phone purchase is reimbursed by the ESD, or the employee is provided a stipend to purchase a cell phone, all phone records, text messages, emails to and from the cell phone, and other communications made with the cell phone may be public records.

Employees shall not use cell phones, whether ESD-owned or personally-owned, for non-ESD-related business while attending to and/or performing their job responsibilities.

Use of cell phones in violation of Board policies, administrative regulations and/or state and federal laws will result in discipline up to and including dismissal and/or referral to Oregon Government Ethics Commission and law enforcement officials, as appropriate.

The superintendent is directed to develop administrative regulations for the implementation of this policy, including a uniform and controlled system for identifying employee cell phone needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately-owned cell phones for authorized ESD business.

END OF POLICY

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### Legal Reference(s):

[ORS 244.010](#)  
[ORS 244.020\(15\)](#)

[ORS 244.040\(1\)\(a\)](#)  
[ORS 244.120](#)

[ORS 334.125\(7\)](#)

Davidson v. Or. Gov't Ethics Comm'n, 300 Or. 415 (1985)  
OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINIONS 02S-020 (Aug. 2, 2002), 02A-1008 (July 12, 2002), 01A-1004 (June 1, 2001) and 98A-1003 (July 9, 1998).